

SENATE No. 00545

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to prohibition on public-private cost shift .

PETITION OF:

NAME:

Anthony W. Petruccelli

DISTRICT/ADDRESS:

First Suffolk and Middlesex

SENATE No. 00545

By Mr. Petruccelli, petition (accompanied by bill, Senate, No. 545) of Petruccelli for legislation to prohibit public-private cost shift [Joint Committee on Health Care Financing].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to prohibition on public-private cost shift .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 118G of the General Laws is hereby amended by inserting after section 15 the
2 following new section:-

3 15A: Contracting Rights of Private Payors- Unfair Methods of Competition and Unfair or
4 Deceptive Acts or Practices in the Conduct of Health Care Providers

5 It shall be an unfair business trade practice for any health care provider to attempt to
6 recoup any unreimbursed amounts paid by government payors by increasing charges to other
7 nongovernmental payors. Violations of this section shall be subject to enforcement by the office
8 of the attorney general.

9 The division shall monitor health care provider charges to ensure compliance with this
10 section and shall report any non-compliance to the attorney general. The division of health care

- 11 finance and policy in cooperation with the office of the attorney general shall promulgate
- 12 regulations enforcing this subsection, which shall include penalties for noncompliance.