SENATE DOCKET, NO. 786 FILED ON: 1/20/2011

SENATE . . . . . No. 975

The Commonwealth of Massachusetts

PRESENTED BY:

***Steven A. Baddour*, (BY REQUEST)**

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:

An Act restricting psychiatric care..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian Coppola	*400 Merrimack Street* *Methuen, MA 01844*

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SENATE . . . . . No. 975

By Mr. Baddour (by request), a petition (accompanied by bill, Senate, No. 975) of [PETITIONERS LIST] for legislation to restrict psychiatric care. Mental Health and Substance Abuse.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *731* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act restricting psychiatric care..

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

1 Not withstanding any law or special policy any psychiatrist who has received any state or
2 federal aids for their education or to establish their practice or both, shall not turn any new
3 patient away unless accepting any new patients would cause an undue hardship on their
4 workload. Any psychiatrist turning away new patients without the showing that taken the said
5 new patients would have an detrimental impact on their workload shall forfeit any state or
6 federal aid that they had received for the establishment of their practice and may not apply to
7 accept Mass Health for a period of 1 year upon the determination by the state's psychiatric
8 licensing board that a psychiatrist had illegally turned away any new patient without showing
9 that taking said new patients would have a detrimental effect on their workload.

10 A psychiatrist in accepting new patients may only turn away a new patient if said new
11 patient has not been referred to them by their primary care physician.

12 The referral to a psychiatrist by a primary care physician to a new patient shall be made
13 in writing. Said referral by a primary care physician need only state that their patient is in need of
14 psychiatric care. The new patient must furnish this referral upon the first visit to the psychiatrist.

15 The process shall be repeated every time a patient needs to or wishes to go to a new
16 psychiatrist for psychiatric care.

17 Any psychiatrist or their staff who retaliates against a new patient filing a complaint with
18 the state licensing board for failing to accept new patients shall forfeit their license to practice
19 psychiatry for a period of 1 year and be fined no more than $10,000.00 or both.