

SENATE No. 545

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to provide for the privacy of information submitted by hospital medical staff..

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

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 57D the following new sections: -- Section 57E. Definitions.

3 (1) "Hospital" as used in section 57F means any hospital licensed under section 51 of
4 this chapter.

5 (2) "Medical staff" as used in section 57F means those physicians and other health care
6 professionals who are privileged to attend patients in a hospital.

7 Section 57F.

8 All personal and financial information disclosed by members of a hospital medical staff,
9 or, by physicians or other health care professionals seeking to join a hospital's medical staff
10 pursuant to hospital conflict of interest policies shall not be used for other purposes or disclosed
11 to other parties. This section does not relieve any individual or hospital of the duty to comply
12 with requirements of any applicable general or special law regarding the protection and privacy
13 of personal information.

14 Section 57G.

15 Any person who has been injured by a violation of section 57F of this chapter may bring
16 an action in the superior court for damages and such equitable relief as the court deems necessary
17 and proper.

18 SECTION 2. This Act shall take effect on October 1, 2010.