SENATE DOCKET, NO. 1200 FILED ON: 1/14/2009

SENATE . . . . . No. 557

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to Promote Collaboration on Health Care Cost Containment and Quality Improvement Initiatives.

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

SECTION 1: Section 7 of chapter 93 of the General Laws, as appearing in the 2006 official edition, is hereby amended by inserting after the first paragraph the following new paragraph:

The attorney general shall adopt regulations that permit carriers, as defined in Section 1 of Chapter 176O, and health care providers, as defined in Section 1 of Chapter 111, to: (1) discuss methods to standardize or simplify administrative standards, protocols or practices in order to reduce health care costs, improve access to health care services, improve the quality of care or reduce health care disparities; and (2) negotiate and enter into agreements that implement such standards, protocols or practices; provided, however, that no such regulation shall permit providers and carriers to set rates or fix prices for insurance premiums or payments to providers. Any person or entity acting under the authority of this regulation adopted pursuant to this paragraph, shall be engaged in action under state policy and shall be immune from antitrust liability to the same degree and extent as the commonwealth.

SECTION 2: The Attorney General shall promulgate regulations pursuant to the provisions of this Act no later than 90 days after the effective date of the Act.