

**SENATE . . . . . No. 856**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act Requiring Hospitals to Notify Patients of Physician Discipline.

*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. Any hospital providing services in the Commonwealth shall have a by-law  
2 or bylaws which direct that the hospital, within 24 hours of instituting any disciplinary action  
3 against any physician providing services within the hospital or becoming aware of any  
4 disciplinary action taken by the hospital or by any subsidiary of the hospital or any physician  
5 group contracting to provide services within the hospital against any physician providing  
6 services within the hospital, shall notify all patients being cared for by that physician within that  
7 hospital. Such notification shall include, but not necessarily be limited to, (a) a personal  
8 discussion with the department chair or division chief, (b) a procedure to provide an alternative  
9 physician qualified to continue providing medical care for the patient being notified with  
10 attention to the needs and concerns of the patient, (c) a written account of the transfer of the  
11 patients care to the newly assigned physician with procedures to ensure that all relevant hospital  
12 records are properly updated, (d) a procedure to ensure that the newly appointed physician shall  
13 introduce him or herself to the patient within 24 hours of the transfer of care taking place, (e) the  
14 department chair shall confirm, within 24 hours of the transfer of care taking place, that the new

15 physician assignment is satisfactory to the patient, (f) the department chair or division chief shall  
16 verify in writing that all of the above steps, and any additional procedures adopted by the  
17 hospital, have taken place and such writing shall be delivered to the president of the hospital or  
18 his or her designee.

19 SECTION 2. The term “hospital” shall mean any hospital licensed under section fifty-  
20 one of chapter one hundred and eleven, the teaching hospital of the University of Massachusetts  
21 Medical School and any psychiatric facility licensed under section nineteen of chapter nineteen.