

**SENATE . . . . . No. 545**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Anthony W. Petrucci*

*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 adoption of the accompanying bill:

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

PETITION OF:

NAME:

*Anthony W. Petrucci*

DISTRICT/ADDRESS:

**SENATE . . . . . No. 545**

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By Mr. Petruccelli, a petition (accompanied by bill, Senate, No. 545) of Anthony W. Petruccelli for legislation to prohibit public-private cost shift. Health Care Financing.

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The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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.