

HOUSE No. 3391

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

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 the indemnification of health professionals.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|-----------------------|------------------|
| <i>Thomas A. Golden, Jr.</i> | <i>16th Middlesex</i> | <i>1/18/2013</i> |

HOUSE No. 3391

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 3391) of Thomas A. Golden, Jr. relative to the payment of certain claims by medical malpractice insurers. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the indemnification of health professionals.

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 112 of the General Laws is hereby amended by inserting after section 5M the
2 following section:-

3 5N. A medical malpractice insurer, as defined by section 193U of chapter 175 of the
4 General Laws, may decline to pay claims for negligence when a licensed provider, as defined by
5 section 2 of chapter 112, fails to consult the prescription monitoring program prior to prescribing
6 a medication to a patient. The division of insurance shall promulgate rules and regulations
7 pursuant to this section.