HOUSE DOCKET, NO. 2969 FILED ON: 1/16/2015

HOUSE . . . . . No. 1895

The Commonwealth of Massachusetts

PRESENTED BY:

Paul Brodeur

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 maintaining confidentiality of proprietary information within health care oversight agencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Paul Brodeur	*32nd Middlesex*	*1/16/2015*

HOUSE DOCKET, NO. 2969 FILED ON: 1/16/2015

HOUSE . . . . . No. 1895

By Mr. Brodeur of Melrose, a petition (accompanied by bill, House, No. 1895) of Paul Brodeur relative to maintaining confidentiality of proprietary information within health care oversight agencies. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act maintaining confidentiality of proprietary information within health care oversight agencies.

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. Subsection (a) of section 11 of Chapter 6D of the General Laws, as most recently amended by Chapter 224 of the Acts of 2012, is hereby amended by adding after the fourth sentence in this subsection the following 3 sentences: -

The commission shall keep confidential all nonpublic data obtained under this section and shall not disclose the data to any person without the consent of the provider or payer that produced the data, except in a preliminary report or final report under this section if the commission believes that such disclosure should be made in the public interest after taking into account any privacy, trade secret or anti-competitive considerations. The confidential data shall not be public records and shall be exempt from disclosure under clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.

SECTION 2. Subsection (a) of section 9 of chapter 12C of the General Laws, as so appearing, shall be amended by inserting after the last sentence the following:-

The center shall keep confidential all nonpublic data obtained under this section and shall not disclose the data to any person without the consent of the provider or payer that produced the data, except in a preliminary report or final report under this section if the center believes that such disclosure should be made in the public interest after taking into account any privacy, trade secret or anti-competitive considerations. The confidential data shall not be public records and shall be exempt from disclosure under clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.

SECTION 3. Subsection (c) of section 3 of chapter 176T of the General Laws, as so appearing, shall be amended by inserting after the first sentence the following:-

The division shall keep confidential all nonpublic information obtained under this section and shall not disclose the information to any person without the consent of the provider or payer that produced the information, except in a preliminary report or final report under this section if the division believes that such disclosure should be made in the public interest after taking into account any privacy, trade secret or anti-competitive considerations. The confidential information shall not be public records and shall be exempt from disclosure under clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.