HOUSE DOCKET, NO. 994 FILED ON: 1/14/2015

HOUSE . . . . . No. 1918

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 medical peer review.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mark J. Cusack	*5th Norfolk*

HOUSE DOCKET, NO. 994 FILED ON: 1/14/2015

HOUSE . . . . . No. 1918

By Mr. Cusack of Braintree, a petition (accompanied by bill, House, No. 1918) of Mark J. Cusack relative to medical peer review. Public Health.

The Commonwealth of Massachusetts

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

An Act relative to medical peer review.

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 1 of chapter 111, as appearing in the 2010 Official Edition, is hereby amended by striking out the definition of "Medical peer review committee" or "committee", and inserting in place thereof the following definition:-

"Medical peer review committee" or "committee", a committee of health care providers, which functions to: (i) evaluate or improve the quality of health care rendered by providers of health care services; (ii) determine whether health care services were performed in compliance with the applicable standards of care; (iii) determine whether the costs of health care services were performed in compliance with the applicable standards of care; (iv) determine whether the cost of the health care services rendered were considered reasonable by the providers of health services in the area; (v) determine whether a health care provider's actions call into question such health care provider's fitness to provide health care services; or (vi) evaluate and assist health care providers impaired or allegedly impaired by reason of alcohol, drugs, physical disability, mental instability or otherwise; provided further, that "medical peer review

14 committee" shall also include: (i) a committee of a pharmacy society or association that is
15 authorized to evaluate the quality of pharmacy services or the competence of pharmacists and
16 suggest improvements in pharmacy systems to enhance patient care; or (ii) a pharmacy peer
17 review committee established by a person or entity that owns a licensed pharmacy or employs
18 pharmacists that is authorized to evaluate the quality of pharmacy services or the competence of
19 pharmacists and suggest improvements in pharmacy systems to enhance patient care.

20 SECTION 2. Said chapter 111 of the General Laws is hereby further amended
21 by inserting at the end of section 204 the following :

22 (f) The provisions of this section shall apply to any committee formed by an
23 individual health care provider, physician group practice, licensed health care facility or any
24 combination thereof to perform the duties or functions of medical peer review as set forth in
25 section one of this chapter, notwithstanding the fact that the formation of the committee is not
26 required by law or regulation or that the individual, group or facility is not solely affiliated with a
27 public hospital or licensed hospital or nursing home or health maintenance organization.