

**HOUSE . . . . . No. 865**

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**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>1/15/2015</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>	<i>9/4/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>9/4/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>9/4/2019</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>9/4/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>9/4/2019</i>

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By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 865) of Thomas A. Golden, Jr., and others relative to the payment of certain claims by medical malpractice insurers. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3391 OF 2013-2014.]

**The Commonwealth of Massachusetts**

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

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.