

SENATE No. 1298

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 to combat V.I.P. syndrome to protect health care integrity and quality.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No. 1298

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1298) of Mark C. Montigny for legislation to combat V.I.P. syndrome to protect health care integrity and quality. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1230 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to combat V.I.P. syndrome to protect health care integrity and quality.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 53H the following section:-

3 Section 53I. (a) Notwithstanding any general or special law to the contrary, no health
4 care provider shall knowingly or intentionally violate department rules and regulations adopted
5 under this chapter, at the direct request of a patient, authorized caregiver or other interested
6 person. Any violation shall be documented and reported by the health care provider to the
7 department within 72 hours. The department may impose penalties including, but not limited to,
8 a fine of up to \$5,000 per violation or complaint to the relevant board of registration. A health
9 care provider who fails to report a violation, as so provided, may be subject to additional
10 penalties up to \$50,000 per violation.

11 (b) Notwithstanding any general or special law to the contrary, a health care provider
12 shall not knowingly or intentionally designate, mark, label or confer any special status unrelated
13 to medical diagnosis, treatment or care to a patient due to socio-economic status or direct
14 relationship to the health care provider. The department may impose penalties including, but not
15 limited to, a fine of up to \$5,000 per violation or complaint to the relevant board of registration.

16 (c) A penalty assessed under this section shall not preclude the department from assessing
17 fees for violations under this chapter.

18 (d) A health care provider reporting a violation pursuant to this section shall be afforded
19 protection from retaliatory action in accordance with section 187 of chapter 149.

20 (e) The commissioner may promulgate regulations to enforce this section.