

HOUSE No. 1235

The Commonwealth of Massachusetts

PRESENTED BY:

Edward R. Philips

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 maintenance of certification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>1/17/2023</i>

HOUSE No. 1235

By Representative Philips of Sharon, a petition (accompanied by bill, House, No. 1235) of Edward R. Philips for legislation relative to maintenance of certification. Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 764 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to maintenance of certification.

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. Paragraph (b) of Section 15 of Chapter 6D of the General laws, is hereby
2 amended by inserting at the end thereof the following new text:

3 ; and (xi) That the ACO shall not require a physician to secure a Maintenance of
4 Certification (MOC) as qualifying for membership, credentialing or otherwise receiving
5 participating in the ACO or receiving reimbursement for medical services provided. For the
6 purposes of this paragraph, "Maintenance of Certification (MOC)" shall mean a continuing
7 education program measuring core competencies in the practice of medicine and surgery and
8 approved by a nationally-recognized accrediting organization.

9 SECTION 2. Chapter 111 is hereby amended by adding Section 51C1/2 as follows:

10 Each hospital, or other institution, licensed under section fifty-one shall not require a
11 physician to secure a Maintenance of Certification (MOC) as when considering or acting on an
12 application for employment or staff membership or clinical privileges to practice. For the
13 purposes of this paragraph, "Maintenance of Certification (MOC)" shall mean a continuing
14 education program measuring core competencies in the practice of medicine and surgery and
15 approved by a nationally-recognized accrediting organization.

16 SECTION 3. Chapter 112; Section 2 is hereby be amended by adding the following new
17 paragraph at the conclusion of the Section:

18 Nothing in this Chapter shall be construed as to require a physician to secure a
19 Maintenance of Certification (MOC) as a condition of licensure, reimbursement, employment, or
20 admitting privileges at a hospital in this state. For the purposes of this paragraph, "Maintenance
21 of Certification (MOC)" shall mean a continuing education program measuring core
22 competencies in the practice of medicine and surgery and approved by a nationally-recognized
23 accrediting organization.

24 SECTION 4. Chapter 176A of the General Laws, as appearing in the 2014 Official
25 Edition, is hereby amended by inserting at the end thereof the following new section:

26 The hospital services corporation medical professional mutual insurance company
27 approved by the commissioner shall not require a physician to secure a Maintenance of
28 Certification (MOC) as qualifying for credentialing or otherwise receiving reimbursement for
29 medical services provided. For the purposes of this paragraph, "Maintenance of Certification
30 (MOC)" shall mean a continuing education program measuring core competencies in the practice
31 of medicine and surgery and approved by a nationally-recognized accrediting organization.

32 SECTION 5. Chapter 176B of the General Laws, as appearing in the 2014 Official
33 Edition, is hereby amended by inserting at the end thereof the following new section:

34 The medical services corporation approved by the commissioner shall not require a
35 physician to secure a Maintenance of Certification (MOC) as qualifying for credentialing or
36 otherwise receiving reimbursement for medical services provided. For the purposes of this
37 paragraph, "Maintenance of Certification (MOC)" shall mean a continuing education program
38 measuring core competencies in the practice of medicine and surgery and approved by a
39 nationally-recognized accrediting organization.

40 SECTION 6. Chapter 176G of the General Laws, as appearing in the 2014 Official
41 Edition, is hereby amended by inserting at the end thereof the following new section:

42 The health maintenance organization shall not require a physician to secure a
43 Maintenance of Certification (MOC) as qualifying for credentialing or otherwise receiving
44 reimbursement for medical services provided. For the purposes of this paragraph, "Maintenance
45 of Certification (MOC)" shall mean a continuing education program measuring core
46 competencies in the practice of medicine and surgery and approved by a nationally-recognized
47 accrediting organization.

48 SECTION 7. Chapter 176I of the General Laws, as appearing in the 2014 Official
49 Edition, is hereby amended by inserting at the end thereof the following new section:

50 Organizations shall not require a physician to secure a Maintenance of Certification
51 (MOC) as qualifying for credentialing or otherwise receiving reimbursement for medical
52 services provided. For the purposes of this paragraph, "Maintenance of Certification (MOC)"

- 53 shall mean a continuing education program measuring core competencies in the practice of
- 54 medicine and surgery and approved by a nationally-recognized accrediting organization.