

[NEW DRAFT]

SENATE No. 2160

The Commonwealth of Massachusetts

SENATE, May 8, 1980.

The Committee on Bills in the Third Reading to whom was referred the bill providing immunity to persons who assist the board of registration in medicine upon request (Senate No. 537) and the bill to facilitate the conduct of investigations by the board of registration in medicine (Senate No. 579), reports recommending that the same be consolidated in the form of a New Draft entitled "AN ACT TO FACILITATE THE CONDUCT OF INVESTIGATIONS BY THE BOARD OF REGISTRATION IN MEDICINE." (Senate No. 2160) and that, when so consolidated and amended, the same will be correctly drawn.

For the Committee,

MARY L. FONSECA

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT TO FACILITATE THE CONDUCT OF INVESTIGATIONS BY THE BOARD OF REGISTRATION IN MEDICINE.

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 5 of chapter 112 of the General Laws is hereby
2 amended by striking out the fourth paragraph, as appearing
3 in chapter 623 of the acts of 1977, and inserting in place there-
4 of the following paragraph: —

5 No person filing a complaint or reporting or providing in-
6 formation pursuant to this section or assisting the board at
7 its request in any manner in discharging its duties and func-
8 tions shall be liable in any cause of action arising out of such
9 information or assistance, provided the person making the
10 complaint or reporting or providing such information or as-
11 sistance does so in good faith and without malice. The board
12 shall keep confidential any complaint, report, record or other
13 information received or kept by the board in connection with
14 an investigation conducted by the board pursuant to this sec-
15 tion, provided, however, that, except to the extent that dis-
16 closures of records or other information may be restricted as
17 otherwise provided by law, investigative records or informa-
18 tion of the board shall not be kept confidential after the board
19 has by dismissal, adjudication or other final action disposed
20 of the matter under investigation nor shall the requirement
21 that investigative records or information be kept confidential
22 at any time apply to requests from the person under investiga-
23 tion for disclosure of information;