

By Mr. Mariano of Quincy, petition of Ronald Mariano for legislation to ensure that determinations governing patient access to health care are made by licensed and qualified medical care providers. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Seven.

AN ACT TO INSURE THAT MEDICAL NECESSITY DETERMINATIONS GOVERNING PATIENT ACCESS TO CARE ARE MADE BY LICENSED AND QUALIFIED MEDICAL CARE PROVIDERS.

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 118F of the Massachusetts General Laws
2 is hereby amended by inserting after Section 17B the following
3 new section: —

4 Section 17C. Whenever an entity licensed under this chapter
5 adopts or modifies standards for determinations of medical neces-
6 sity or medical appropriateness of an admission, continued stay or
7 procedure, such medical standards shall be adopted only if
8 approved by a committee consisting of health care providers
9 licensed to practice in Massachusetts, a majority of whom are
10 practicing physicians who provide services to the patients covered
11 by or through the entity. Appeals of denials of benefits for lack of
12 medical necessity or medical appropriateness of an admission,
13 continued stay or procedure shall be reviewed by a physician and
14 determined in accordance with such medical standards.

1 SECTION 2. Chapter 175, Section 108 of the General Laws is
2 hereby amended by adding at the end thereof the following new
3 subsection: —

4 13. Whenever an entity licensed under this chapter adopts or
5 modifies standards for determinations of medical necessity or
6 medical appropriateness of an admission, continued stay or proce-
7 dure, such medical standards shall be adopted only if approved by

8 a committee consisting of health care providers licensed to prac-
9 tice in Massachusetts, a majority of whom are practicing physi-
10 cians who provide services to the patients covered by or through
11 the entity. Appeals of denials of benefits for lack of medical
12 necessity or medical appropriateness of an admission, continued
13 stay or procedure shall be reviewed by a physician and determined
14 in accordance with such medical standards.

1 SECTION 3. Chapter 176B is hereby amended by adding at
2 the end thereof the following new section: —

3 Section 21. Whenever an entity licensed under this chapter
4 adopts or modifies standards for determinations of medical neces-
5 sity or medical appropriateness of an admission, continued stay or
6 procedure, such medical standards shall be adopted only if
7 approved by a committee consisting of health care providers
8 licensed to practice in Massachusetts, a majority of whom are
9 practicing physicians who provide services to the patients covered
10 by or through the entity. Appeals of denials of benefits for lack of
11 medical necessity or medical appropriateness of an admission,
12 continued stay or procedure shall be reviewed by a physician and
13 determined in accordance with such medical standards.

1 SECTION 4. Chapter 176G is hereby amended by adding at
2 the end thereof the following new section: —

3 Section 20. Whenever an entity licensed under this chapter
4 adopts or modifies standards for determinations of medical neces-
5 sity or medical appropriateness of an admission, continued stay or
6 procedure, such medical standards shall be adopted only if
7 approved by a committee consisting of health care providers
8 licensed to practice in Massachusetts, a majority of whom are
9 practicing physicians who provide services to the patients covered
10 by or through the entity. Appeals of denials of benefits for lack of
11 medical necessity or medical appropriateness of an admission,
12 continued stay or procedure shall be reviewed by a physician and
13 determined in accordance with such medical standards.

1 SECTION 5. Chapter 176I is hereby amended by adding at the
2 end thereof the following new section: —

3 Section 12. Whenever an entity licensed under this chapter
4 adopts or modifies standards for determinations of medical neces-
5 sity or medical appropriateness of an admission, continued stay or
6 procedure, such medical standards shall be adopted only if
7 approved by a committee consisting of health care providers
8 licensed to practice in Massachusetts, a majority of whom are
9 practicing physicians who provide services to the patients covered
10 by or through the entity. Appeals of denials of benefits for lack of
11 medical necessity or medical appropriateness of an admission,
12 continued stay or procedure shall be reviewed by a physician and
13 determined in accordance with such medical standards.

The first part of the report deals with the general conditions of the country, and the second part with the details of the work done during the year. The first part is divided into two sections, the first dealing with the general conditions of the country, and the second with the details of the work done during the year. The second part is divided into two sections, the first dealing with the details of the work done during the year, and the second with the general conditions of the country.

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