

the Referendum II, Emergency Measures, hereby declare in my opinion the immediate preservation of the public convenience requires that the law being Chapter 713 of the Acts of 1972, entitled "AN ACT PROVIDING FOR DISCRETIONARY HEARINGS BY A MEMBER OR AGENT OF THE LABOR RELATIONS COMMISSION UNDER CERTAIN PROVISIONS OF THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING LAW." and the enactment of which received my approval on July 13, 1972, should take effect forthwith.

I further declare that in my opinion said law is an emergency law and the facts constituting the emergency are as follows:

In order to immediately implement the provisions of this act to expedite the work of the Labor Relations Commission.

Sincerely,
FRANCIS W. SARGENT,
Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and seventeen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and thirteen of the acts of nineteen hundred and seventy-two.

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

Chap. 714. AN ACT REQUIRING INSURERS TO PROVIDE POLICYHOLDERS WITH COPIES OF MEDICAL INFORMATION USED TO DENY LIABILITY UNDER ACCIDENT AND HEALTH INSURANCE POLICIES.

Be it enacted, etc., as follows:

Paragraph (a) of subdivision 2 of section 108 of chapter 175 of the General Laws is hereby amended by inserting after provision (2), as appearing in section 1 of chapter 275 of the acts of 1954, the following provision:—

(2A) It provides that if the insurer denies liability and refuses to make payment on the basis of any provision contained in the policy relating to a pre-existing condition, illness or injury, the insurer shall transmit to the insured together with the notice of denial of liability documented evidence of specific instances of actual treatment or observation of such pre-existing condition, illness or injury in all cases except those of a confidential nature.

Approved July 13, 1972.

Chap. 715. AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH TO ESTABLISH AND MAINTAIN AN INVENTORY OF HEALTH CARE RESOURCES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after Section 25 the following section:—

Section 25A. The department, in order to identify the location, distribution and nature of all health care resources in the commonwealth

shall establish and maintain on a current basis an inventory of all such resources together with all other reasonably pertinent information concerning such resources. For purposes of this section, a health care resource shall include any resource, whether personal or institutional in nature and whether owned or operated by any person, the commonwealth or political subdivision thereof, the principal purpose of which is to provide, or facilitate the provision of, services for the prevention, detection, diagnosis or treatment of those physical and mental conditions experienced by humans which usually are the result of, or result in, disease, injury, deformity, or pain; and provided that the term "treatment" shall include custodial and rehabilitative care incident to infirmity, developmental disability or old age.

Such inventory and all related information shall be maintained in a form usable by the general public in a designated office of the department, shall constitute a public record; and shall be coordinated with information collected by the department under other provisions of law, federal and state census information, and other vital statistics from reliable sources; provided, however, that any item of information which is confidential or privileged in nature shall not be regarded as a public record under this section.

The department may require health care resources to provide information for the purposes of this section and may prescribe by regulation uniform reporting requirements. In prescribing such regulations the department shall strive to make any reports required under this section of mutual benefit to those providing as well as those using such information, and shall avoid placing any burdens on such providers which are not reasonably necessary to accomplish the purposes of this section.

The department shall publish analyses, reports and interpretations of information collected under this section in order to further public knowledge concerning the distribution and nature of health care resources in the commonwealth.

Agencies of the Commonwealth which collect cost or other data concerning health care resources shall cooperate with the department in coordinating such data with information collected under this section.

In the performance of its duties, the department, subject to appropriation, may enter into such contracts with agencies of the federal government, the Commonwealth or its political subdivisions, and public or private bodies, as it deems necessary; provided, however, that no information received under such a contract shall be published or relied upon for any purpose by the department unless the department has determined such information to be reasonably accurate by statistical sampling or other suitable techniques for measuring the reliability of information-gathering processes.

Approved July 13, 1972.

Chap. 716. AN ACT AUTHORIZING THE CITY OF WORCESTER TO ADOPT AN ORDINANCE RELATIVE TO SNOW REMOVAL BY OWNERS OR ABUTTERS OF SIDEWALKS LOCATED WITHIN THE LIMITS OF STATE HIGHWAYS.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to adopt an ordinance providing that the owner or abutter of sidewalks located within the