

HOUSE No. 2038

By Mr. Atsalis of Barnstable, petition of Demetrius J. Atsalis to abolish further use of so called physician letter exemptions in the acquisition of medical equipment. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO ABOLISH FURTHER USE OF SO CALLED PHYSICIAN LETTER EXEMPTIONS.

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

1 Notwithstanding the provisions of any general or special law to
2 the contrary, no medical diagnostic or therapeutic equipment (a) not
3 actually in regular service on June 30, 2007 and (b) used to provide
4 an innovative service or which is a new technology (as such terms
5 are defined in section 25B of chapter 111 of the General Laws, as
6 appearing in the 2004 Official Edition) shall be (a) acquired in fur-
7 therance of a notice of intent to acquire such equipment filed with
8 the department prior to the effective date of Chapter 350, Section 6
9 of the Acts of 1993, or (b) transferred to another location except in
10 accordance with rules and regulations of the department of public
11 health governing transfers of equipment subject to the determination
12 of need rules and regulations.

13 Nothing in this amendment, however, shall alter or amend the
14 effect of Section 18 of Chapter 203 of the Acts of 2001.