

HOUSE No. 2215

By Ms. Peisch of Wellesley, petition of Alice Hanlon Peisch for legislation to define the term “medical ethics peer review committee”.
Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATED TO MEDICAL ETHICS.

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. Section 1 of Chapter 111 of the General Laws, as
2 appearing in the 2004 Official Edition, is hereby amended by adding
3 the following definition after the sentence beginning with “Inland
4 waters”:—

5 “Medical ethics peer review committee” or “ethics committee”, a
6 committee of a state or local professional society of health care
7 providers, including doctors of chiropractic, or of a medical staff of
8 a public hospital or licensed hospital or nursing home or health
9 maintenance organization organized under Chapter one hundred and
10 seventy-six G, provided the medical staff operates pursuant to
11 written by-laws that have been approved by the governing board of
12 the hospital or nursing home or health maintenance organization or a
13 committee of physicians established pursuant to Section 12 of
14 Chapter 111C for the purposes set forth in subsection (f) of Section
15 203, which committee has among its functions the receipt of com-
16 plaints, their investigation, determination and the carrying of disci-
17 pline, sanctions or notice against medical providers in accordance
18 with written policies and procedures established by the ethics com-
19 mittee or the sponsoring organizations.

1 SECTION 2. Subsection (c) of Section 230 of Chapter 111 of the
2 General Laws, as appearing in the 2004 Official Edition, is hereby
3 amended by adding the following after “participation in the proce-
4 dures required by this section”:—

5 Or in the proceedings of a medical ethics committee,

1 SECTION 3. Subsection (c) of Section 230 of Chapter 111 of the
2 General Laws, as appearing in the 2004 Official Edition, is hereby
3 further amended by striking the third from the last word “by” and
4 replacing it with “under”.

1 SECTION 4. Subsection (a) of Section 240 of Chapter 111 of the
2 General Laws, as appearing in the 2004 Official Edition, is hereby
3 by striking “.” at the end of the section and adding the following:— ;
4 provided that a medical ethics committee may give such notice and
5 make such disclosures as provided under its rules and procedures, or
6 the articles, by-laws, resolutions of the organization in which it
7 exists or as required by applicable laws or regulations.