

SENATE NO. 587

AN ACT RELATIVE TO PHYSICIAN CONTRACTING

*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 108 of chapter 175 of the General Laws, as amended by section 33 of
2 chapter 324 of the acts of 2006, is hereby amended by adding at the end thereof the following
3 paragraph:-

4 13. When a contract between a company and provider of health care services includes
5 provisions that require the provider, as a condition of participating in one of the company's
6 plans, to participate in any other plans, the contract shall contain a provision permitting the
7 provider to refuse participation in one or more such other plans at the time the contract is
8 executed without affecting the provider's status as a member of or for eligibility in the plan
9 which is the subject of such contract or other plans.

10 SECTION 2. Section 110(G) of chapter 175, as appearing in the 2004 Official Edition, is
11 hereby amended by adding at the end thereof the following words:- "When a contract between
12 an insurance company and provider of health care services includes provisions that require the
13 provider, as a condition of participating in one of the company's plans, to participate in any
14 other plans, the contract shall contain a provision permitting the provider to refuse participation
15 in one or more such other plans at the time the contract is executed without affecting the

16 provider's status as a member of or for eligibility in the plan which is the subject of such
17 contract or other plans.”

18 SECTION 3. Section 8 of chapter 176A, as so appearing, is hereby amended by inserting at the
19 end thereof the following new subsection:

20 (h) When a contract between the corporation and a provider of health care services
21 includes provisions that require the provider, as a condition of participating in one of the
22 corporations plans, to participate in any other plan, the contract shall contain a provision
23 permitting the provider to refuse participation in one or more such other plans at the time the
24 contract is executed without affecting the provider's status as a member of or for eligibility in
25 the plan which is the subject of such contract or other plans.

26 SECTION 4. Section 7 of chapter 176B, as so appearing, is hereby amended by adding at the
27 end thereof the following words:- “When a contract between a medical service corporation and
28 a provider of health care services includes provisions that require the provider, as a condition of
29 participating in one of the medical service corporations plans, to participate in any other plan,
30 the contract shall contain a provision permitting the provider to refuse participation in one or
31 more such other plans at the time the contract is executed without affecting the provider's status
32 as a member of or for eligibility in the plan which is the subject of such contract or other plans.”

33 SECTION 5. Section 6 of chapter 176G, as appearing in the 2004 Official Edition, is hereby
34 amended by adding at the end thereof the following words:- “When a contract between a
35 medical service corporation and a provider of health care services includes provisions that
36 require the provider, as a condition of participating in one of the medical service corporations
37 plans, to participate in any other plan, the contract shall contain a provision permitting the
38 provider to refuse participation in one or more such other plans at the time the contract is

39 executed without affecting the provider's status as a member of or for eligibility in the plan
40 which is the subject of such contract or other plans.”