

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Moore, Richard (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Disciplinary Actions Under the Board of Registration in Medicine.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Moore, Richard (SEN)	Worcester and Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01299 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

**AN ACT RELATIVE TO DISCIPLINARY ACTIONS UNDER THE BOARD OF REGISTRATION
IN MEDICINE.**

*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 5E of chapter 111 of the General Laws, as so appearing, is hereby
2 amended by striking out the second sentence, and inserting in place thereof the following
3 sentence:- “Such report shall be made within ten days after any such settlement agreement has
4 been reduced to writing thereto or ten days after service of such arbitration award on the parties
5 and signed by all the parties.”

6 SECTION 2. Section 53B of chapter 111 of the General Laws, as so appearing, is hereby
7 amended by striking out, in the second sentence of the first paragraph, the word “thirty,” and by
8 inserting in place thereof the word “ten.”

9 SECTION 3. Section 70 of chapter 111 of the General Laws, as so appearing, is hereby amended
10 by inserting, in the first paragraph, after the words "written authorization from such executor or
11 administrator," in the fifth sentence, the words, "or the board of registration in medicine,".

12 SECTION 4. Section 203 of chapter 111 of the General Laws, as so appearing, is hereby
13 amended by striking out, in the first sentence of paragraph (e), the word "thirty," and by inserting
14 in place thereof the word "ten."

15 SECTION 5. Section 5B of chapter 112 of the General Laws, as so appearing, is hereby amended
16 by striking out, in the second sentence of the first paragraph, the word "thirty," and by inserting
17 in place thereof the word "ten."

18 SECTION 6. Section 5C of chapter 112 of the General Laws, as so appearing, is hereby amended
19 by striking out, in the first sentence of the second paragraph, the word "thirty," and by inserting
20 in place thereof the word "ten."

21 SECTION 7. Section 5F of chapter 112 of the General Laws, as so appearing, is hereby amended
22 by inserting, in the first paragraph, after the word "eleven" in the first sentence, the words, "and
23 including a pharmacist, nurse practitioner, physician assistant, and acupuncturist".

24 SECTION 8. Section 5F of chapter 112 of the General Laws, as so appearing, is hereby amended
25 by inserting, in the second paragraph, after the words "requirements of a" in the fifth sentence,
26 the words, "mental health,".

27 SECTION 9. Section 6 of chapter 112 of the General Laws, as so appearing, is hereby amended
28 by striking out in the first sentence the following words: "by a fine of not less than one hundred

29 nor more than one thousand dollars or by imprisonment for not less than one nor more than one
30 year, or both”, and by inserting in place thereof the following:-

31 by imprisonment in the state prison for not less than two and one-half years nor more than five
32 years or by a fine of not more than five thousand dollars and imprisonment in a jail or house of
33 correction for not more than two and one-half years, or both such fine and imprisonment.

34 SECTION 10. Section 159 of chapter 112 of the General Laws, as so appearing, is hereby
35 amended by striking out in the first sentence the following words: “by a fine of not less than one
36 hundred nor more than one thousand dollars, or by imprisonment for not less than three months,
37 or both such fine and imprisonment”, and by inserting in place thereof the following:-

38 by a fine of not more than five thousand dollars, or by imprisonment in the state prison for not
39 less than two and one-half years nor more than five years, or imprisonment in a jail or house of
40 correction for not more than two and one-half years, or both such fine and imprisonment.

41 SECTION 11. Section 160 of chapter 112 of the General Laws, as so appearing, is hereby
42 amended by striking out in the second sentence the following words: “by a fine of not less than
43 one hundred nor more than one thousand dollars, or by imprisonment for not less than one month
44 nor more than one year, or both”, and by inserting in place thereof the following:-

45 by a fine of not more than five thousand dollars, or by imprisonment in the state prison for not
46 less than two and one-half years nor more than five years, or imprisonment in a jail or house of
47 correction for not more than two and one-half years, or both such fine and imprisonment.

48 SECTION 12. Section 26 of chapter 221 of the General Laws, as so appearing, is hereby
49 amended by inserting, after the words "physician registered in the commonwealth" in the first
50 sentence, the following words:-
51 "is arraigned for any crime, except civil infractions under section 70C of chapter 277, or"