

2. STATES THAT THE PATIENT MAY CHOOSE TO OBTAIN THE HEALTH CARE SERVICE FROM ANOTHER PROVIDER OF THE HEALTH CARE SERVICE; AND

3. REQUIRES THE PATIENT TO ACKNOWLEDGE IN WRITING RECEIPT OF THE STATEMENT;

(II) EXCEPT IF AN ORAL REFERRAL IS MADE BY TELEPHONE, INSERTS IN THE MEDICAL RECORD OF THE PATIENT A COPY OF THE WRITTEN ACKNOWLEDGEMENT;

(III) DISPLAYS A WRITTEN NOTICE THAT IS PLAINLY VISIBLE TO THE PATIENTS OF THE PRACTITIONER DISCLOSING ALL OF THE HEALTH CARE SERVICES:

1. IN WHICH THE PRACTITIONER, THE PRACTITIONER'S IMMEDIATE FAMILY, OR THE PRACTITIONER IN COMBINATION WITH THE PRACTITIONER'S IMMEDIATE FAMILY OWNS A SIGNIFICANT BENEFICIAL INTEREST; AND

2. TO WHICH THE PRACTITIONER REFERS PATIENTS;
AND

(IV) DOCUMENTS IN THE MEDICAL RECORD OF THE PATIENT THAT:

1. A VALID MEDICAL NEED EXISTS FOR THE REFERRAL; AND

2. THE PRACTITIONER HAS DISCLOSED THE EXISTENCE OF THE SIGNIFICANT BENEFICIAL INTEREST TO THE PATIENT.

(D) A HEALTH CARE PRACTITIONER SHALL DISCLOSE THE NAME ~~AND MEDICARE PROVIDER NUMBER~~ OF A REFERRING PRACTITIONER ON EACH REQUEST FOR PAYMENT OR BILL SUBMITTED TO A THIRD PARTY PAYOR, INCLUDING NONPROFIT HEALTH PLANS AND FISCAL INTERMEDIARIES AND CARRIERS, THAT MAY BE RESPONSIBLE FOR PAYMENT, IN WHOLE OR IN PART, OF THE CHARGES FOR A HEALTH CARE SERVICE, IF THE PRACTITIONER KNOWS OR HAS REASON TO BELIEVE:

(1) THERE HAS BEEN A REFERRAL BY A HEALTH CARE PRACTITIONER; AND

(2) THE REFERRING PRACTITIONER HAS A SIGNIFICANT BENEFICIAL INTEREST IN THE HEALTH CARE SERVICE.

(E) A HEALTH CARE PRACTITIONER WHO FAILS TO COMPLY WITH THE PROVISIONS OF THIS SECTION SHALL BE SUBJECT TO DISCIPLINARY ACTIONS BY THE APPROPRIATE LICENSING BOARD.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.