
§ 151:31. Disclosure of Information; Hospitals and Physician Hospital Organizations

I. (a) Hospitals shall make an annual report, beginning on November 1, 2000, to the attorney general including the following information:

1. The hospital's financial relationships with physician hospital organizations.

2. Number and type of providers employed by the hospital, and any affiliates, as defined in RSA 541-C:2, II, and contracting with or through physician hospital organizations.

3. Frequency of contract negotiations with providers and physician hospital organizations.

4. The number of primary care physicians and specialty care physicians, by specialty, that are employed by each hospital or affiliate.

5. The number of primary care physicians and specialty care physicians, by specialty, that are members of the hospital's active medical staff.

6. An organizational chart showing the corporate structure of the hospital and any affiliates including a description of the type of services provided by each entity.

7. A list of physician practices that are owned by the hospital and its affiliates, or which contract with the hospital and any affiliates for the provision of professional services.

8. A copy of the policy adopted by the hospital, and any affiliates, requiring physicians employed by such hospital to notify their patients when they are referring a patient for professional services to be provided by a physician employed by the same hospital or affiliate. The policy shall also expressly state that no physician employed by the hospital or any affiliate is required or in any way obligated to refer patients to physicians also employed or under contract with the hospital or any affiliate.

(b) For the purposes of this section "hospital" means an institution which is engaged in providing to patients, under supervision of physicians, diagnostic and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of such persons. The term "hospital" includes psychiatric and substance abuse treatment hospitals.

II. The attorney general may review contracts resulting from the relationships set forth under paragraph I.

III. The attorney general may disclose all information required under this subdivision to the commissioner of the department of insurance, the commissioner of the department of health and human services, and any state or federal law enforcement agency.

IV. Subject to the provisions of paragraph V, the attorney general shall make an annual report disclosing all information required under this subdivision to the speaker of the house of representatives, the president of the senate, and the chairs of the respective committees of the house and senate that have jurisdiction on commerce and health issues.

V. The annual report required under paragraph I shall be a public record pursuant to RSA 91-A:4. The attorney general may, at the request of a submitting party, deem information contained in the annual report or records
submitted with the annual report, to be confidential, commercial or financial information which is exempt from public disclosure pursuant to RSA 91-A:5, IV.

VI. Notwithstanding paragraph I(b) of this section, nothing in this section shall require a hospital to furnish information with respect to another hospital that is also required to report under this section.