HOUSE DOCKET, NO. 927 FILED ON: 1/15/2013

HOUSE . . . . . No. 901

The Commonwealth of Massachusetts

PRESENTED BY:

James J. Dwyer

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:

An Act to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual educational program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James J. Dwyer	*30th Middlesex*
Paul Andrews	*Massachusetts Association of School Superintendents* *756 Marrett Road* *Lexington, MA 02421*
Gale D. Candaras	*First Hampden and Hampshire*
Ann-Margaret Ferrante	*5th Essex*
Matthew A. Beaton	*11th Worcester*

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HOUSE . . . . . No. 901

By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 901) of James J. Dwyer and others for legislation to require health care coverage for certain medically necessary therapy or treatment required by students. Financial Services.

The Commonwealth of Massachusetts

An Act to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual educational program.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by adding the following section:-

Section 26. The commission shall provide to an active or retired employee of the commonwealth who is insured under the group insurance commission benefits on a nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual education program, individualized family service plan, individualized service plan or the federal Individuals with Disabilities Education Improvement Act.

SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 47AA the following section:-

Section 47BB. An individual policy of accident and sickness insurance issued under section 108 that provides hospital expense and surgical expense insurance and any group blanket or general policy of accident and sickness insurance issued under section 110 that provides hospital expense and surgical expense insurance, which is issued or renewed within or without the commonwealth, shall provide benefits on a nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual education program, Individualized family service plan, individualized service plan or the federal Individuals with Disabilities Education Improvement Act.

SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section 8DD the following section:-

Section 8EE. A contract between a subscriber and the corporation under an individual or group hospital service plan which is issued or renewed within or without the commonwealth shall

24 provide benefits on a nondiscriminatory basis for the medically necessary treatment for speech
25 therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction
26 which are required by a students individual education program, individualized family service
27 plan, individualized service plan or the federal Individuals with Disabilities Education
28 Improvement Act.
29 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section
30 4DD the following section:-
31 Section 4EE. A subscription certificate under an individual or group medical service agreement
32 which is issued or renewed within or without the commonwealth shall provide benefits on a
33 nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational
34 therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a
35 students individual education program, individualized family service plan, individualized service
36 plan or the federal Individuals with Disabilities Education Improvement Act.
37 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section
38 4V the following section:-
39 Section 4W. A health maintenance contract issued or renewed within or without the
40 commonwealth shall provide benefits on a nondiscriminatory basis for the medically necessary
41 treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or
42 bodily dysfunction which are required by a students individual education program,
43 individualized family service plan, individualized service plan or the federal Individuals with
44 Disabilities Education Improvement Act.
45 SECTION 6. All policies, contracts and certificates of health insurance subject to section 26 of
46 chapter 32A, section 47BB of chapter 175, section 8EE of chapter 176A, section 4EE of chapter
47 176B, and section 4W of chapter 176G of the General Laws which are delivered, issued or
48 renewed on or after January 1, 2011 shall conform with the provisions of this act. Form filings
49 implementing this act shall be subject to the approval of the commissioner of insurance.
50 SECTION 8. This act shall take effect on January 1, 2014.
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