

HOUSE No. 1108

The Commonwealth of Massachusetts

PRESENTED BY:

James J. O'Day and Michael P. Kushmerek

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 adoption of the accompanying bill:

An Act relative to community behavioral health centers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/19/2023</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>1/20/2023</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/30/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/30/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/10/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>6/28/2023</i>

HOUSE No. 1108

By Representatives O'Day of West Boylston and Kushmerek of Fitchburg, a petition (accompanied by bill, House, No. 1108) of James J. O'Day, Michael P. Kushmerek and others relative to healthcare coverage for medically necessary behavioral health bundled services delivered through community behavioral health centers. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to community behavioral health centers.

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. Chapter 32A of the general laws, as appearing in the 2020 official edition,
2 is hereby amended by inserting after section 30 the following new section:-

3 Section 31. (a) For the purposes of this section, the following words shall have the
4 following meanings:

5 “Behavioral health bundled services”, services delivered by a community behavioral
6 health center as specified in title 101 of the code of Massachusetts regulations 305.00 for the
7 evaluation, diagnosis, treatment, care coordination, management, or peer support of patients with
8 mental health, developmental or substance use disorder, provided that services are reimbursed
9 through a flat rate per encounter.

10 “Community Behavioral Health Centers”, a clinic licensed by the department of public
11 health and regulated pursuant to title 130 of the code of Massachusetts regulations 448.00.

12 (b) Any health plan offered by the commission shall provide to an active or retired
13 employee of the commonwealth who is insured under the group insurance commission benefits
14 on a nondiscriminatory basis for medically necessary behavioral health bundled services
15 delivered through community behavioral health centers.

16 SECTION 2. Chapter 175 of the general laws, as appearing in the 2020 official edition, is
17 hereby amended by inserting after section 47PP the following new section:-

18 Section 47QQ. (a) For the purposes of this section, the following words shall have the
19 following meanings:

20 “Behavioral health bundled services”, services delivered by a community behavioral
21 health center as specified in title 101 of the code of Massachusetts regulations 305.00 for the
22 evaluation, diagnosis, treatment, care coordination, management, or peer support of patients with
23 mental health, developmental or substance use disorder, provided that services are reimbursed
24 through a flat rate per encounter.

25 “Community Behavioral Health Centers”, a clinic licensed by the department of public
26 health and regulated pursuant to title 130 of the code of Massachusetts regulations 448.00.

27 (b) Any individual policy of accident and sickness insurance issued pursuant to section
28 108, which provides hospital expense and surgical expense insurance, and a group blanket or
29 general policy of accident and sickness insurance issued pursuant to section 110, which provides
30 hospital expense and surgical expense insurance, which is issued or renewed within or without
31 the commonwealth, shall provide benefits on a nondiscriminatory basis for medically necessary
32 behavioral health bundled services delivered through community behavioral health centers.

33 SECTION 3. Chapter 176A of the general laws, as appearing in the 2020 official edition,
34 is hereby amended by inserting after section 38 the following new section:-

35 Section 39. (a) For the purposes of this section, the following words shall have the
36 following meanings:

37 “Behavioral health bundled services”, services delivered by a community behavioral
38 health center as specified in title 101 of the code of Massachusetts regulations 305.00 for the
39 evaluation, diagnosis, treatment, care coordination, management, or peer support of patients with
40 mental health,

41 developmental or substance use disorder, provided that services are reimbursed through a
42 flat rate per encounter.

43 “Community Behavioral Health Centers”, a clinic licensed by the department of public
44 health and regulated pursuant to title 130 of the code of Massachusetts regulations 448.00.

45 (b) Any contract between a subscriber and the corporation under an individual or group
46 hospital service plan which is issued or renewed within or without the commonwealth shall
47 provide benefits on a nondiscriminatory basis for medically necessary behavioral health bundled
48 services delivered through community behavioral health centers.

49 SECTION 4. Chapter 176B of the general laws, as appearing in the 2020 official edition,
50 is hereby amended by inserting after section 25 the following new section:-

51 Section 26. (a) For the purposes of this section, the following words shall have the
52 following meanings:

53 “Behavioral health bundled services”, services delivered by a community behavioral
54 health center as specified in title 101 of the code of Massachusetts regulations 305.00 for the
55 evaluation, diagnosis, treatment, care coordination, management, or peer support of patients with
56 mental health, developmental or substance use disorder, provided that services are reimbursed
57 through a flat rate per encounter.

58 “Community Behavioral Health Centers”, a clinic licensed by the department of public
59 health and regulated pursuant to title 130 of the code of Massachusetts regulations 448.00.

60 (b) Any subscription certificate under an individual or group medical service agreement
61 which is issued or renewed within or without the commonwealth shall provide benefits on a
62 nondiscriminatory basis for medically necessary behavioral health bundled services delivered
63 through community behavioral health centers.

64 SECTION 5. Chapter 176G of the general laws, as appearing in the 2020 official edition,
65 is hereby amended by inserting after section the following new section 33:-

66 Section 34. (a) For the purposes of this section, the following words shall have the
67 following meanings:

68 “Behavioral health bundled services”, services delivered by a community behavioral
69 health center as specified in title 101 of the code of Massachusetts regulations 305.00 for the
70 evaluation, diagnosis, treatment, care coordination, management, or peer support of patients with
71 mental health, developmental or substance use disorder, provided that services are reimbursed
72 through a flat rate per encounter.

73 “Community Behavioral Health Centers”, a clinic licensed by the department of public
74 health and regulated pursuant to title 130 of the code of Massachusetts regulations 448.00.

75 (b) Any health maintenance contract issued or renewed within or without the
76 commonwealth shall provide benefits on a nondiscriminatory basis for medically necessary
77 behavioral health bundled services delivered through community behavioral health centers.