

**HOUSE . . . . . No. 1138**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Lindsay N. Sabadosa and Natalie M. Higgins*

*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 protecting reproductive destiny.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/19/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/19/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/24/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/24/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/2/2023</i>

**HOUSE . . . . . No. 1138**

By Representatives Sabadosa of Northampton and Higgins of Leominster, a petition (accompanied by bill, House, No. 1138) of Lindsay N. Sabadosa, Natalie M. Higgins and others relative to health insurance coverage for voluntary female sterilization. Financial Services.

**The Commonwealth of Massachusetts**

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

An Act relative to protecting reproductive destiny.

*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 12W of said chapter 112, as so appearing, is hereby amended by  
2 inserting

3 after the first paragraph the following:-

4 Whenever any physician has reason to believe a person eighteen years or over is unable  
5 to give informed consent, including when a person is in a state institution or under guardianship  
6 under chapter 190B of the General Laws, no such sterilization shall be performed.

7 SECTION 2: Chapter 118E of the General Laws, as so appearing, is hereby amended by  
8 inserting at the end of Section 10N the following new Section:-

9 Section 10O. Expanded Medicaid Coverage for Voluntary Female Sterilization

10 (1) For purposes of this section, the following words shall have the following meanings:

11 “Decision Counseling”, a counseling model for providers to ensure patients are fully  
12 informed about the effects and permanency of sterilization.

13 "Informed written consent", a written consent form for the requested provision of  
14 voluntary female sterilization.

15 “Voluntary Female Sterilization”, any medical procedure, treatment, or operation for the  
16 purpose of rendering an individual permanently incapable of reproducing performed at the  
17 request of the individual.

18 (2) Coverage of Voluntary Female Sterilization Services:

19 The division and its contracted health insurers, health plans, health maintenance  
20 organizations, behavioral health management firms and third-party administrators under contract  
21 to a Medicaid managed care organization or primary care clinician plan shall provide coverage  
22 for voluntary female sterilization even in the event that an individual covered by a Medicaid  
23 managed care organization or primary care clinician plan has not fulfilled the federally required  
24 30-day waiting period provided that the individual has completed Decision Counseling and  
25 signed an informed written consent.