

HOUSE No. 940

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balsler

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 requiring mental health parity for disability policies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/19/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/23/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>6/23/2023</i>
<i>Christopher Richard Flanagan</i>	<i>1st Barnstable</i>	<i>6/28/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>7/24/2023</i>
<i>Ryan M. Hamilton</i>	<i>15th Essex</i>	<i>12/3/2023</i>

HOUSE No. 940

By Representative Balser of Newton, a petition (accompanied by bill, House, No. 940) of Ruth B. Balser and James B. Eldridge relative to mental health parity for disability policies. Financial Services.

The Commonwealth of Massachusetts

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

An Act requiring mental health parity for disability policies.

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 108 of chapter 175 of the General Laws is hereby amended by
2 adding the following:-

3 "13. No individual policy of short-term or long-term disability insurance providing
4 income replacement benefits that is issued or renewed in the Commonwealth shall discriminate
5 against persons disabled due to a mental health condition. "Mental health condition" is defined
6 as any condition or disorder involving mental illness or substance use that falls under any of the
7 diagnostic categories listed in the mental, behavioral or neurodevelopmental disorders section of
8 the international classification of disease, as periodically revised. Discrimination includes:

9 1. Limiting benefits or excluding coverage for disabilities on the basis that the disability
10 results from a mental health condition as defined herein.

11 2. Limitations on benefits or coverage exclusions for any disability resulting from a
12 mental health condition that are not applied equally to all disabilities."

13 SECTION 2. Section 110 of chapter 175 of the General Laws is hereby amended by
14 adding the following subsection:-

15 "Q. No certificate of coverage under a group policy of short-term or long-term disability
16 insurance providing income replacement benefits that is issued or renewed in the Commonwealth
17 shall discriminate against persons disabled due to a mental health condition. "Mental health
18 condition" is defined as any condition or disorder involving mental illness or substance use that
19 falls under any of the diagnostic categories listed in the mental, behavioral or
20 neurodevelopmental disorders section of the international classification of disease, as
21 periodically revised. Discrimination includes:

22 1. Limiting benefits or excluding coverage for disabilities on the basis that the disability
23 results from a mental health condition as defined herein.

24 2. Limitations on benefits or coverage exclusions for any disability resulting from a
25 mental health condition that are not applied equally to all disabilities."

26 SECTION 3. Nothing in this Act shall be construed to prohibit periodic medical exams or
27 other procedures reasonably calculated to determine whether or not a disability exists, or
28 continues to exist; provided said examinations, procedures or protocols are comparable and no
29 more frequent or onerous than those required for disabilities caused by physical disorders.