

SENATE No. 654

The Commonwealth of Massachusetts

PRESENTED BY:

Adam Gomez

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 ensuring prompt access to health care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Adam Gomez</i>	<i>Hampden</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>10/4/2023</i>

SENATE No. 654

By Mr. Gomez, a petition (accompanied by bill, Senate, No. 654) of Adam Gomez for legislation to ensure prompt access to health care. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 679 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act ensuring prompt access to health care.

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 is hereby amended by adding at the end
2 the following new section:-

3 Section 31: Reimbursement of costs for medically appropriate evaluation and
4 management services in outpatient settings, including but not limited to office-based and
5 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
6 shall be part of a basic benefits package offered by the insurer or a third party and shall not
7 require a co-payment or deductible; provided, however, that co-payments and deductibles shall
8 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
9 lose its tax-exempt status as a result of the prohibition on such for these services.

10 SECTION 2. Chapter 32B of the General Laws is hereby amended by adding at the end
11 the following new section:-

12 Section 30: Reimbursement of costs for medically appropriate evaluation and
13 management services in outpatient settings, including but not limited to office-based and
14 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
15 shall be part of a basic benefits package offered by the insurer or a third party and shall not
16 require a co-payment or deductible; provided, however, that co-payments and deductibles shall
17 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
18 lose its tax-exempt status as a result of the prohibition on such for these services.

19 SECTION 3. Chapter 175 of the General Laws, as appearing in the 2020 Official Edition,
20 is hereby amended by inserting after Section 47KK the following section:-

21 Section 47QQ: Reimbursement of costs for medically appropriate evaluation and
22 management services in outpatient settings, including but not limited to office-based and
23 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
24 shall be part of a basic benefits package offered by the insurer or a third party and shall not
25 require a co-payment or deductible; provided, however, that co-payments and deductibles shall
26 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
27 lose its tax-exempt status as a result of the prohibition on such for these services.

28 SECTION 4. Chapter 176A of the General Laws, as appearing in the 2020 Official
29 Edition, is hereby amended by inserting after Section 8MM the following section:-

30 Section 8RR: Reimbursement of costs for medically appropriate evaluation and
31 management services in outpatient settings, including but not limited to office-based- and

32 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
33 shall be part of a basic benefits package offered by the insurer or a third party and shall not
34 require a co-payment or deductible; provided, however, that co-payments and deductibles shall
35 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
36 lose its tax-exempt status as a result of the prohibition on such for these services.

37 SECTION 5. Chapter 176B of the General Laws, as appearing in the 2020 Official
38 Edition, is hereby amended by inserting after Section 4MM the following section:-

39 Section 4RR: Reimbursement of costs for medically appropriate evaluation and
40 management services in outpatient settings, including but not limited to office-based and
41 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
42 shall be part of a basic benefits package offered by the insurer or a third party and shall not
43 require a co-payment or deductible; provided, however, that a co-payment and deductible shall
44 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
45 lose its tax-exempt status as a result of the prohibition on such for these services.

46 SECTION 6. Chapter 176G of the General Laws, as appearing in the 2020 Official
47 Edition, is hereby amended by adding at the end the following new section:-

48 Section 34: Reimbursement of costs for medically appropriate evaluation and
49 management services in outpatient settings, including but not limited to office-based and
50 hospital-based clinics, in accordance with guidelines developed by the division of insurance,
51 shall be part of a basic benefits package offered by the insurer or a third party and shall not
52 require a co-payment or deductible; provided, however, that a co-payment and deductible shall

- 53 be required if the applicable plan is governed by the Federal Internal Revenue Code and would
- 54 lose its tax-exempt status as a result of the prohibition on such for these services.