HOUSE . . . . . No. 3928

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to the treatment of cleft palate and cleft lip.

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 2010 Official
2 Edition, is hereby amended by inserting after section 17I the following section:-

3 Section 17J. The commission shall provide to any active or retired employee of the
4 commonwealth who is insured under the group insurance commission coverage for the cost of
5 treating cleft lip and cleft palate for children under the age of 18 covered by that employee's
6 health plan. The coverage shall include benefits for medical, dental, oral and facial surgery,
7 surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and
8 management, preventative and restorative dentistry to ensure good health and adequate dental
9 structures for orthodontic treatment or prosthetic management therapy, speech therapy,
10 audiology, and nutrition services, only if such services are prescribed by the treating physician or
11 surgeon and such physician or surgeon certifies that such services are medically necessary and
12 consequent to the treatment of the cleft lip or palate. The coverage required by this section is
13 subject to the terms and conditions applicable to other benefits. Payment for dental or
14 orthodontic treatment not related to the management of the congenital condition of cleft lip and
15 cleft palate shall not be covered under this provision.

16 SECTION 2. Chapter 118E, as so appearing, is hereby amended by inserting after
17 section 10F the following section:-

18 Section 10G. For children under the age of 18, the division shall cover the cost of
19 treating cleft lip and cleft palate. The coverage shall include benefits for medical, dental, oral
20 and facial surgery, surgical management and follow-up care by oral and plastic surgeons,
21 orthodontic treatment and management, preventative and restorative dentistry to ensure good
22 health and adequate dental structures for orthodontic treatment or prosthetic management
23 therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by
24 the treating physician or surgeon and such physician or surgeon certifies that such services are

25 medically necessary and consequent to the treatment of the cleft lip or palate. The coverage
26 required by this section is subject to the terms and conditions applicable to other benefits.
27 Payment for dental or orthodontic treatment not related to the management of the congenital
28 condition of cleft lip and cleft palate shall not be covered under this provision.

29 SECTION 3. Chapter 175, as so appearing, is hereby amended by inserting after section
30 47AA the following section:-

31 Section 47BB. An individual policy of accident and sickness insurance issued under
32 section 108 that provides hospital expense and surgical expense insurance and any group blanket
33 or general policy of accident and sickness insurance issued under section 110 that provides
34 hospital expense and surgical expense insurance, which is issued or renewed within or without
35 the commonwealth, that covers a child under the age of 18 shall provide coverage for treatment
36 of cleft lip and cleft palate for the child. The coverage shall include benefits for medical, dental,
37 oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons,
38 orthodontic treatment and management, preventative and restorative dentistry to ensure good
39 health and adequate dental structures for orthodontic treatment or prosthetic management
40 therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by
41 the treating physician or surgeon and such physician or surgeon certifies that such services are
42 medically necessary and consequent to the treatment of the cleft lip or palate. The coverage
43 required by this section is subject to the terms and conditions applicable to other benefits.
44 Payment for dental or orthodontic treatment not related to the management of the congenital
45 condition of cleft lip and cleft palate shall not be covered under this provision.

46 SECTION 4. Chapter 176A of the General Laws, as so appearing, is hereby amended by
47 inserting after section 8DD the following section:

48 Section 8EE. A contract between a subscriber and the corporation under an individual or
49 group hospital service plan which provides hospital expense and surgical expense insurance,
50 except contracts providing supplemental coverage to Medicare or other governmental programs,
51 delivered, issued or renewed by agreement between the insurer and the policyholder, within or
52 without the commonwealth that covers a child under the age of 18 shall provide coverage for
53 treatment of cleft lip and cleft palate for the child. The coverage shall include benefits for
54 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and
55 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to
56 ensure good health and adequate dental structures for orthodontic treatment or prosthetic
57 management therapy, speech therapy, audiology, and nutrition services, only if such services are
58 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such
59 services are medically necessary and consequent to the treatment of the cleft lip or palate. The
60 coverage required by this section is subject to the terms and conditions applicable to other
61 benefits. Payment for dental or orthodontic treatment not related to the management of the
62 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

63 SECTION 5. Chapter 176B of the General Laws, as so appearing, is hereby amended by
64 inserting after section 4DD the following section:-

65 Section 4EE. Any subscription certificate under an individual or group medical service
66 agreement, except certificates that provide supplemental coverage to Medicare or other
67 governmental programs, that shall be delivered, issued or renewed within or without the
68 commonwealth that covers a child under the age of 18 shall provide coverage for treatment of
69 cleft lip and cleft palate for the child. The coverage shall include benefits for medical, dental,
70 oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons,
71 orthodontic treatment and management, preventative and restorative dentistry to ensure good
72 health and adequate dental structures for orthodontic treatment or prosthetic management
73 therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by
74 the treating physician or surgeon and such physician or surgeon certifies that such services are
75 medically necessary and consequent to the treatment of the cleft lip or palate. The coverage
76 required by this section is subject to the terms and conditions applicable to other benefits.
77 Payment for dental or orthodontic treatment not related to the management of the congenital
78 condition of cleft lip and cleft palate shall not be covered under this provision.

79 SECTION 6. Chapter 176G of the General Laws, as so appearing, is hereby amended by
80 inserting after section 4V the following section:-

81 Section 4W. A health maintenance contract issued or renewed within or without the
82 commonwealththat covers a child under the age of 18 shall provide coverage for treatment of
83 cleft lip and cleft palate for the child. The coverage shall include benefits for medical, dental,
84 oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons,
85 orthodontic treatment and management, preventative and restorative dentistry to ensure good
86 health and adequate dental structures for orthodontic treatment or prosthetic management
87 therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by
88 the treating physician or surgeon and such physician or surgeon certifies that such services are
89 medically necessary and consequent to the treatment of the cleft lip or palate. The coverage
90 required by this section is subject to the terms and conditions applicable to other benefits.
91 Payment for dental or orthodontic treatment not related to the management of the congenital
92 condition of cleft lip and cleft palate shall not be covered under this provision.

93 SECTION 7. Chapter 176I of the General Laws, as so appearing, is hereby amended by
94 inserting after section 11 the following section:-

95 Section 12. An organization entering into a preferred provider contract that covers a
96 child under the age of 18 shall provide coverage for treatment of cleft lip and cleft palate for the
97 child. The coverage shall include benefits for medical, dental, oral and facial surgery, surgical
98 management and follow-up care by oral and plastic surgeons, orthodontic treatment and
99 management, preventative and restorative dentistry to ensure good health and adequate dental

100 structures for orthodontic treatment or prosthetic management therapy, speech therapy,
101 audiology, and nutrition services, only if such services are prescribed by the treating physician or
102 surgeon and such physician or surgeon certifies that such services are medically necessary and
103 consequent to the treatment of the cleft lip or palate. The coverage required by this section is
104 subject to the terms and conditions applicable to other benefits. Payment for dental or
105 orthodontic treatment not related to the management of the congenital condition of cleft lip and
106 cleft palate shall not be covered under this provision.