SENATE DOCKET, NO. 1093 FILED ON: 1/20/2011

SENATE . . . . . No. 403

The Commonwealth of Massachusetts

PRESENTED BY:

Frederick E. Berry

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 passage of the accompanying:

An Act relative to physician services provided by physician assistants..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Frederick E. Berry	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 1093 FILED ON: 1/20/2011

SENATE . . . . . No. 403

By Mr. Berry, a petition (accompanied by bill, Senate, No. 403) of Frederick E. Berry for legislation relative to the payment of claims for physician services provided by physician assistants. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *948* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to physician services provided by physician assistants..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47U, inserted by section 8 of chapter 141 of the acts of 2000, the following section:-

Section 47V. No individual or group accident and health insurance policies and health service contracts can refuse to reimburse a physician at the full rate for necessary medical or surgical services provided by a physician assistant practicing under the supervision of a physician if the policy or contract would have paid for the same services when provided by a physician. Individual or group accident and health insurance policies and health service contracts cannot impose a practice or supervision restriction which is inconsistent or more restrictive than state law. Provided, however, that the following conditions are met:(1) the service rendered is within the scope of practice of physician assistants pursuant to section 9E of said chapter 112; (2) such service is provided in compliance with all other requirements of law, including a formal supervisory arrangement with a physician as provided for by said section 9E (3) the policy or contract provides benefits for such service if rendered by a registered physician in the commonwealth

Section 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8Z, the following section:-

17 Section 8V. No contract or subscription certificate between an insured and the
18 corporation can refuse to reimburse a physician at the full rate for necessary medical or surgical
19 services provided by a physician assistant, certified by the board of registration of physician
20 assistants pursuant to the provisions of section 9F of chapter 112, practicing under the
21 supervision of a physician if the contract or subscription certificate would have paid for the same
22 services when provided by a physician. A contract or subscription certificate between an insured
23 and the corporation cannot impose a practice or supervision restriction which is inconsistent or
24 more restrictive than state law; provided, however, that the following conditions are met: (1) the
25 service rendered is within the scope of practice of physician assistants pursuant to section 9E of
26 said chapter112; (2) such service is provided in compliance with all other requirements of law,
27 including a formal supervisory arrangement with a physician as provided for by said section 9E;
28 and (3) the contract or subscription certificate provided benefits for such service if rendered by a
29 registered physician in the commonwealth.

30 Section 3. Chapter 176B of the General Laws is hereby amended by inserting after
31 section 4U, inserted by section 4R the following section:-

32 Section 4V. No contract or subscription certificate between an insured and the
33 corporation can refuse to reimburse a physician at the full rate for necessary medical or surgical
34 services provided by a physician assistant, certified by the board of registration of physician
35 assistants pursuant to the provisions of section 9F of chapter 112, practicing under the
36 supervision of a physician if the contract or subscription certificate would have paid for the same
37 services when provided by a physician. A contract or subscription certificate between an insured
38 and the corporation cannot impose a practice or supervision restriction which is inconsistent or
39 more restrictive than state law; provided, however, that the following conditions are met: (1) the
40 service rendered is within the scope of practice of physician assistants pursuant to section 9E of
41 said chapter112; (2) such service is provided in compliance with all other requirements of law,
42 including a formal supervisory arrangement with a physician as provided for by said section 9E;
43 and (3) the contract or subscription certificate provides benefits for such service if rendered by a
44 registered physician in the commonwealth. No such contract of subscription certificate shall
45 deny payment for such services solely on the basis that the service was provided by a physician
46 assistant.

47 Section 4. The first paragraph of section 4 of chapter 176G of the General Laws is
48 hereby amended by adding the following sentence:- Such health maintenance contract shall also
49 provide coverage for the services rendered by a certified registered physician assistant, as set
50 forth in section 47V of chapter 175, subject to the provisions of said section.