SENATE DOCKET, NO. 995 FILED ON: 1/17/2013

SENATE . . . . . No. 437

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 providing health insurance coverage for cochlear and auditory osseointegrated implants in children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	*Middlesex and Worcester*
James M. Murphy	*4th Norfolk*
Benjamin Swan	*11th Hampden*
Sal N. DiDomenico	*Middlesex and Suffolk*
Gloria L. Fox	*7th Suffolk*
Patricia D. Jehlen	*Second Middlesex*
Carl M. Sciortino, Jr.	*34th Middlesex*
Cory Atkins	*14th Middlesex*

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 437) of James B. Eldridge, James M. Murphy, Benjamin Swan, Sal N. DiDomenico and other members of the General Court for legislation relative to providing health insurance coverage for cochlear implants in children. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *421* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to providing health insurance coverage for cochlear and auditory osseointegrated implants in children.

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. Section 9A of chapter 118E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:-

(17) Medical benefits provided under this section shall include unilateral and bilateral coverage for cochlear and auditory osseointegrated implant systems, in children and adults up to age 26, as well as surgical and post-surgical services including audiology programming, rehabilitation and speech therapy support, replacement parts, upgrades, and accessories related to the functionality of the technology, provided however that for children who are unable to have auditory osseointegrated implantable surgery, medical benefits provided under this section shall include a speech processor that can be attached using a softband or headband. Such medical benefits shall be considered an implantable prosthetic device.

SECTION 2. Chapter 175 of the General Laws, as so appearing, is hereby amended by inserting after section 108J the following section:-

Section 108K. An individual policy of accident and sickness insurance issued pursuant to section 108 or group policy accident and sickness insurance issued pursuant to section 110 shall provide coverage for auditory implant systems, including the surgery necessary to place

16 such systems, in children, as well as for post-surgery services including audiology programming,
17 external device updates, and speech therapy support.

18 SECTION 3. Chapter 176A of the General Laws, as so appearing, is hereby amended by
19 inserting after section 8DD the following section:-

20 Section 8EE. Any contract, except contracts providing supplemental coverage to
21 medicare or other governmental programs, between a subscriber and the corporation under an
22 individual or group hospital service plan which shall be delivered or issued or renewed in the
23 commonwealth shall provide, as a basic benefit to all individual subscribers and members within
24 the commonwealth and to all group members having a principal place of employment within the
25 commonwealth, for expense for auditory implant systems, including the surgery necessary to
26 place such systems, in children, as well as for post-surgery services including audiology
27 programming, external device updates, and speech therapy support.

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

30 Section 4EE. Any subscription certificate under an individual or group medical service
31 agreement that shall be delivered, issued or renewed in the commonwealth shall provide as
32 benefits to all individual subscribers within the commonwealth an all persons included in section
33 4C, coverage for auditory implant systems, including the surgery necessary to place such
34 systems, in children, as well as for post-surgery services including audiology programming,
35 external device updates, and speech therapy support.

36 SECTION 5. Chapter 176G of the General Laws, as so appearing, is hereby amended by
37 inserting after section 4V the following section:

38 Section 4W. Any health maintenance contract shall provide coverage for auditory
39 implant systems, including the surgery necessary to place such systems, in children, as well as
40 for post-surgery services including audiology programming, external device updates, and speech
41 therapy support.