

HOUSE No. 1020

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

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 bill:

An Act further regulating insurance benefits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kathi-Anne Reinstein	16th Suffolk
Frank I. Smizik	15th Norfolk
Kevin Aguiar	7th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1063 OF 2007-2008.]

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
—————

AN ACT FURTHER REGULATING INSURANCE BENEFITS.

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 1 of chapter 176G of the General Laws, as appearing in the 2004 Official Edition, is
2 hereby amended by striking out the definition of “Health services” in lines 78 to 81 and inserting in place thereof the
3 following definition:—

4 “Health Services”, at least reasonably comprehensive physician services on a nondiscriminatory basis, inpatient
5 and outpatient services, emergency health services, chiropractic and podiatric services.

6 SECTION 2. Said section 1 of said chapter is hereby further amended by striking out the definition of
7 “Nondiscriminatory” in lines 95 to 100 and inserting in place thereof the following definition:-

8 “Nondiscriminatory,” any individual who has entered into a group health maintenance contract that provides for
9 any chiropractic, podiatric, medical or surgical service which is within the lawful scope of practice of a licensed
10 podiatrist, or chiropractor shall be entitled to such services whether the service is performed by a physician,
11 chiropractor or licensed podiatrist including authorized referral services on a nondiscriminatory basis.

12 SECTION 3. Chapter 176G of the General Laws, as appearing in the 2004 Official Edition, and amended by section
13 11 of chapter 172 of the acts of 2006, is hereby further amended by adding the following new sections: —

14 Section 4S. Every registered chiropractor shall have the right, on complying with such rules and regulations the
15 organization may make, to enter into written agreement with a health maintenance organization, doing business in
16 the city or town where the chiropractor resides or has a usual place of business, to perform chiropractic services. No
17 restrictions shall be placed by any such health maintenance organization upon its participating chiropractors as to
18 methods of diagnosis or treatment. No officer, agent or employee of a health maintenance organization shall
19 influence or attempt to influence a subscriber or a covered dependent in the choice of a participating chiropractor.
20 Nothing in this section shall be construed to prohibit any health maintenance organization from entering into written
21 agreements with its subscribers and with participating chiropractors to furnish chiropractic services to subscribers
22 and covered dependents or from including chiropractic services in its health services plan nor shall any health

23 maintenance organization discriminate in any way against participating chiropractors in the furnishing of
24 chiropractic services to its subscribers and covered dependents.

25 Section 4T. Upon the request of a subscriber or covered dependent for chiropractic services, the health
26 maintenance organization shall refer the subscriber or covered dependent to a participating doctor of chiropractic in
27 the geographical area nearest to the subscriber's or covered dependent's residence. Benefit levels for health care
28 services rendered by non-participating providers shall be at least 80% of the benefit levels for services rendered by
29 participating providers.