SENATE DOCKET, NO. 217 FILED ON: 1/14/2013

SENATE . . . . . No. 494

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 to make habilitative services available to the children of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	*Second Middlesex and Norfolk*

SENATE DOCKET, NO. 217 FILED ON: 1/14/2013

SENATE . . . . . No. 494

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 494) of Karen E. Spilka for legislation to make habilitative services available to the children of the Commonwealth. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1373* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to make habilitative services available to the children of the Commonwealth.

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. Subsection (a) of section 25 of chapter 32A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following definitions:

"Developmental delay", a disability in a person diagnosed by licensed physician which results in a delay in attaining the capacity to achieve age appropriate physical, intellectual, communicative, emotional, and social functioning within the person's environment

"Treatment of developmental delay" includes the following care when prescribed, provided or ordered by a licensed physician or a licensed psychologist who determines the care to be medically necessary: habilitative or rehabilitative care; pharmacy care; psychiatric care; psychological care; and therapeutic care.

SECTION 2. Subsection (b) of said section 25 is hereby amended at the end thereof by inserting after the word "individuals" the following:

"and for the diagnosis and treatment of developmental delay in a child below the age of 19."

SECTION 3. Subsection (c) of said section 25 is hereby amended by inserting after the word "disorders" the following:

16 “and for the diagnosis and treatment of developmental delay in a child below the age of
17 19.”

18 SECTION 4. Subsection (e) of said section 25 is hereby amended by inserting after the
19 word “provider” the following:

20 “or provider of services to treat developmental delay”

21 SECTION 5. Subsection (f) of said section 25 is hereby amended by inserting after the
22 word “disorder” the following:

23 “and developmental delay.”

24 SECTION 6 Subsection (a) of section 47AA of chapter 175, as appearing in the 2010
25 Official Edition, is hereby amended by adding the following definitions:

26 “Developmental delay”, a disability in a person diagnosed by licensed physician which
27 results in a delay in attaining the capacity to achieve age appropriate physical, intellectual,
28 communicative, emotional, and social functioning within the person's environment

29 “Treatment of developmental delay” includes the following care when prescribed,
30 provided or ordered by a licensed physician or a licensed psychologist who determines the care
31 to be medically necessary: habilitative or rehabilitative care; pharmacy care; psychiatric care;
32 psychological care; and therapeutic care.

33 SECTION 7. Subsection (b) of said section 47AA is hereby amended at the end thereof
34 by inserting after the word “individuals” the following:

35 “and for the diagnosis and treatment of developmental delay in a child below the age of
36 19.”

37 SECTION 8. Subsection (c) of said section 47AA is hereby amended by inserting after
38 the word “disorders” the following:

39 “and for the diagnosis and treatment of developmental delay in a child below the age of
40 19.”

41 SECTION 9. Subsection (e) of said section 47AA is hereby amended by inserting after
42 the word “provider” the following:

43 “or provider of services to treat developmental delay”

44 SECTION 10. Subsection (f) of said section 47AA is hereby amended by inserting after
45 the word “disorder” the following:

46 “and developmental delay.”

47 SECTION 11. Subsection (a) of section 8DD of chapter 176A, as appearing in the 2010
48 Official Edition, is hereby amended by adding the following definitions:

49 "Developmental delay", a disability in a person diagnosed by licensed physician which
50 results in a delay in attaining the capacity to achieve age appropriate physical, intellectual,
51 communicative, emotional, and social functioning within the person's environment

52 "Treatment of developmental delay" includes the following care when prescribed,
53 provided or ordered by a licensed physician or a licensed psychologist who determines the care
54 to be medically necessary: habilitative or rehabilitative care; pharmacy care; psychiatric care;
55 psychological care; and therapeutic care.

56 SECTION 12. Subsection (b) of said section 8DD is hereby amended at the end thereof
57 by inserting after the word "individuals" the following:

58 "and for the diagnosis and treatment of developmental delay in a child below the age of
59 19."

60 SECTION 13. Subsection (c) of said section 8DD is hereby amended by inserting after
61 the word "disorders" the following:

62 "and for the diagnosis and treatment of developmental delay in a child below the age of
63 19."

64 SECTION 14. Subsection (e) of said section 8DD is hereby amended by inserting after
65 the word "provider" the following:

66 "or provider of services to treat developmental delay."

67 SECTION 15. Subsection (f) of said section 8DD is hereby amended by inserting after
68 the word "disorder" the following:

69 "and developmental delay."

70 SECTION 16. Subsection (a) of section 4DD of chapter 176B, as appearing in the 2010
71 Official Edition, is hereby amended by adding the following definitions:

72 "Developmental delay", a disability in a person diagnosed by licensed physician which
73 results in a delay in attaining the capacity to achieve age appropriate physical, intellectual,
74 communicative, emotional, and social functioning within the person's environment

75 "Treatment of developmental delay" includes the following care when prescribed,
76 provided or ordered by a licensed physician or a licensed psychologist who determines the care
77 to be medically necessary: habilitative or rehabilitative care; pharmacy care; psychiatric care;
78 psychological care; and therapeutic care.

79 SECTION 17. Subsection (b) of said section 4DD is hereby amended at the end thereof
80 by inserting after the word “individuals” the following:

81 “and for the diagnosis and treatment of developmental delay in a child below the age of
82 19.”

83 SECTION 18. Subsection (c) of said section 4DD is hereby amended by by inserting
84 after the word “disorders” the following:

85 “and for the diagnosis and treatment of developmental delay in a child below the age of
86 19.”

87 SECTION 19. Subsection (e) of said section 4DD is hereby amended by inserting after
88 the word “provider” the following:

89 “or provider of services to treat developmental delay”

90 SECTION 20. Subsection (f) of said section 4DD is hereby amended by inserting after
91 the word “disorder” the following:

92 “and developmental delay.”

93 SECTION 21. Subsection (a) of section 4V of chapter 176G, as appearing in the 2010
94 Official Edition, is hereby amended by adding the following definitions:

95 “Developmental delay”, a disability in a person diagnosed by licensed physician which
96 results in a delay in attaining the capacity to achieve age appropriate physical, intellectual,
97 communicative, emotional, and social functioning within the person's environment

98 “Treatment of developmental delay” includes the following care when prescribed,
99 provided or ordered by a licensed physician or a licensed psychologist who determines the care
100 to be medically necessary: habilitative or rehabilitative care; pharmacy care; psychiatric care;
101 psychological care; and therapeutic care.

102 SECTION 22. Subsection (b) of said section 4V is hereby amended at the end thereof by
103 inserting after the word “individuals” the following:

104 “and for the diagnosis and treatment of developmental delay in a child below the age of
105 19.”

106 SECTION 23. Subsection (c) of said section 4V is hereby amended by inserting after the
107 word “disorders” the following:

108 “and for the diagnosis and treatment of developmental delay in a child below the age of
109 19.”

110 SECTION 24. Subsection (e) of said section 4V is hereby amended by inserting after the
111 word “provider” the following:

112 “or provider of services to treat developmental delay”

113 SECTION 25. Subsection (f) of said section 4V is hereby amended by inserting after the
114 word “disorder” the following:

115 “and developmental delay.”