

HOUSE No. 1795

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 further define medical necessity determinations.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-----------------------------|--------------------------------------|
| <i>Kay Khan</i> | <i>11th Middlesex</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> |
| <i>Marcos A. Devers</i> | <i>16th Essex</i> |
| <i>Brian A. Joyce</i> | <i>Norfolk, Bristol and Plymouth</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> |
| <i>Angelo M. Scaccia</i> | <i>14th Suffolk</i> |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> |

HOUSE No. 1795

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1795) of Kay Khan and others relative to the determination of medically necessary services for mental health treatment. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to further define medical necessity determinations.

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 8A of Chapter 118E, as appearing in the 2012 Official Edition, is
2 hereby amended by inserting at the end of the definition “Medically necessary services” the
3 following sentence:-

4 “Medically necessary services for mental health treatment shall be determined by the
5 treating clinician in consultation with the patient and noted in the patient’s medical record.”

6 SECTION 2. Section 16 (b) of Chapter 176O, as appearing in the 2012 Official Edition,
7 is hereby amended by inserting after the word “restriction.”, in line 33, the following sentence:-

8 “Medical necessity for mental health services shall be determined by the treating clinician
9 in consultation with the patient and noted in the patient’s medical record.”