

SENATE No. 539

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 promoting continuity of care for multiple sclerosis treatment.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|----------------------------|-----------------------------|------------------|
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> | |
| <i>Mathew Muratore</i> | <i>1st Plymouth</i> | <i>1/25/2017</i> |
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> | <i>1/31/2017</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>1/31/2017</i> |
| <i>Carlos González</i> | <i>10th Hampden</i> | <i>2/3/2017</i> |

SENATE No. 539

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 539) of John F. Keenan, Mathew Muratore, Patrick M. O'Connor, Denise Provost and others for legislation to promote continuity of care for multiple sclerosis treatment. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act promoting continuity of care for multiple sclerosis treatment.

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. Chapter 32A of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by adding the following new section:-

3 Section 28. The commission shall provide to any active or retired employee of the
4 commonwealth and who is insured under the group insurance commission coverage for a disease
5 modifying prescription drug for treatment of multiple sclerosis that the individual has already
6 been prescribed and has already been taking. This section shall also require coverage for such an
7 ongoing disease-modifying prescription drug treatment under any non-group policy.

8 SECTION 2. Chapter 175 of the General Laws, as appearing in the 2014 Official Edition,
9 is hereby amended by inserting after Section 47GG the following new section:-

10 Section 47HH. Any policy of accident and sickness insurance as described in section 108
11 that provides hospital expense and surgical expense insurance and that is delivered, issued or
12 subsequently renewed by agreement between the insurer and policyholder in the commonwealth;

13 any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110
14 that provides hospital expense and surgical expense insurance and that is delivered, issued or
15 subsequently renewed by agreement between the insurer and the policyholder, within or without
16 the commonwealth; or any employees' health and welfare fund that provides hospital expense
17 and surgical expense benefits and that is delivered, issued or renewed to any person or group of
18 persons in the commonwealth, shall provide to a commonwealth resident covered by the policy,
19 coverage for a disease-modifying prescription drug to treat multiple sclerosis that the individual
20 has already been prescribed and has already been taking. The benefits in this section shall not be
21 subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other
22 disease-modifying prescription drug for multiple sclerosis provided by the insurer. This section
23 shall also require coverage for such an ongoing disease-modifying prescription drug treatment
24 for multiple sclerosis under any non-group policy.

25 SECTION 3. Chapter 176A of the General Laws, as appearing in the 2014 Official
26 Edition, is hereby amended by inserting after Section 8II the following new section:-

27 Section 8JJ. Any contract between a subscriber and the corporation under an individual or
28 group hospital service plan that is delivered, issued or renewed in the commonwealth shall
29 provide as benefits to any individual subscribers or members within the commonwealth a
30 disease-modifying prescription drug to treat multiple sclerosis that the individual has already
31 been prescribed and has already been taking. The benefits in this section shall not be subject to
32 greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefits for
33 disease-modifying prescription drugs for multiple sclerosis provided by the insurer. This section
34 shall also require coverage for such an ongoing disease-modifying prescription drug treatment
35 for multiple sclerosis under any non-group policy.

36 SECTION 4. Chapter 176B of the General Laws, as appearing in the 2014 Official
37 Edition, is hereby amended by inserting after Section 4II the following new section:-

38 Section 4JJ. Any subscription certificate under an individual or group medical service
39 agreement that shall be delivered, issued or renewed within the commonwealth shall provide as
40 benefits to any individual subscriber or member within the commonwealth coverage for a
41 disease-modifying prescription drug to treat multiple sclerosis that the individual has already
42 been prescribed and has already been taking. The benefits in this section shall not be subject to
43 any greater deductible, coinsurance, copayments or out-of-pocket limits than any other disease-
44 modifying prescription drug benefits for multiple sclerosis provided by the insurer. This section
45 shall also require coverage for such an ongoing disease-modifying prescription drug treatment
46 for multiple sclerosis under any non-group policy.

47 SECTION 5. Chapter 176G of the General Laws, as appearing in the 2014 Official
48 Edition, is hereby amended by inserting after Section 4AA the following new section:-

49 Section 4BB. An individual or group health maintenance contract shall provide coverage
50 and benefits to any individual within the commonwealth for a disease-modifying prescription
51 drug for treatment of multiple sclerosis that the individual has already been prescribed and has
52 already been taking. The benefits in this section shall not be subject to any greater deductible,
53 coinsurance, copayments or out-of-pocket limits than any other benefits provided by the insurer
54 for disease-modifying prescription drugs to treat multiple sclerosis. This section shall also
55 require coverage for such an ongoing disease-modifying prescription drug treatment for multiple
56 sclerosis under any non-group policy.