

SENATE No. 542

The Commonwealth of Massachusetts

PRESENTED BY:

Michael D. Brady

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 relative to communications between health insurers and patients.

PETITION OF:

NAME:

Michael D. Brady

DISTRICT/ADDRESS:

Second Plymouth and Bristol

SENATE No. 542

By Mr. Brady, a petition (accompanied by bill, Senate, No. 542) of Michael D. Brady for legislation relative to communications between health insurers and patients. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 498 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to communications between health insurers and patients.

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 10 CHAPTER 176O, as most recently amended by Chapter 224 of
2 the Acts of 2012 is hereby amended by adding the following paragraph at the end thereof:

3 (d) No carrier or its representatives may initiate communications with its insured
4 members or their families regarding end of life treatment options or emergency code status
5 responses for a patient without that patient’s treating physician’s knowledge or presence.

6 (e) No accountable care organization or any other entity that contracts to provide health
7 care services to patients on a contractual basis which requires Division of Insurance certification
8 may initiate communications with its patients or their families regarding end of life treatment
9 options or emergency code status responses for a patient without that patient’s treating
10 physician’s knowledge or presence.