

HOUSE No. 1020

The Commonwealth of Massachusetts

In the Year Two Thousand 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
2 Official Edition, is hereby amended by striking out the definition of “Health services” in lines 78
3 to 81 and inserting in place thereof the following definition:—

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

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

10 “Nondiscriminatory,” any individual who has entered into a group health maintenance
11 contract that provides for any chiropractic, podiatric, medical or surgical service which is within
12 the lawful scope of practice of a licensed podiatrist, or chiropractor shall be entitled to such

13 services whether the service is performed by a physician, chiropractor or licensed podiatrist
14 including authorized referral services on a nondiscriminatory basis.

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

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

31 Section 4T. Upon the request of a subscriber or covered dependent for chiropractic
32 services, the health maintenance organization shall refer the subscriber or covered dependent to a
33 participating doctor of chiropractic in the geographical area nearest to the subscriber's or covered
34 dependent's residence. Benefit levels for health care services rendered by non-participating

35 providers shall be at least 80% of the benefit levels for services rendered by participating
36 providers.