

# HOUSE . . . . . No. 951

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Nine  
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An Act curtailing smoking addiction..

*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 is hereby amended by inserting after  
2   section 17H the following section:—Section 17I. The commission shall provide to any active or  
3   retired employee of the commonwealth who is insured under the group insurance commission  
4   coverage for the cost of nicotine based and non-nicotine based smoking cessation products to  
5   eligible enrollees provided that an enrollee shall be provided coverage of no more than two  
6   smoking cessation product therapies in a calendar year, and that the products are made available  
7   in a manner consistent with existing laws and regulations.

8           SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after  
9   section 110K the following section:—Section 110L. Any individual policy of accident and  
10   sickness insurance issued pursuant to section 108, and any group policy of accident and sickness  
11   insurance issued pursuant to section 110 shall provide coverage for nicotine based and non-  
12   nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be  
13   provided coverage of no more than two smoking cessation product therapies in a calendar year,

and that the products are made available in a manner consistent with existing laws and regulations.

SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section 8U the following section:—Section 8V. Any contract between a subscriber and the corporation under an individual or group hospital service plan that shall be delivered, issued or renewed in the commonwealth shall provide, as benefits to all individual subscribers or members having a principal place of employment within the commonwealth, coverage for nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be provided coverage of no more than two smoking cessation product therapies in a calendar year, and that the products are made available in a manner consistent with existing laws and regulations.

SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section 4U the following section:—Section 4V. Any subscription certificate under an individual or group medical service agreement that shall be delivered, issued or renewed in the commonwealth shall provide as a benefit for all individual subscribers or member within the commonwealth and all group members having a principal place of employment within the commonwealth, coverage for nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be provided coverage of no more than two smoking cessation product therapies in a calendar year, and that the products are made available in a manner consistent with existing laws and regulations.

SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section 4M, the following section:—Section 4N. Any group health maintenance contract shall

36 provide coverage for nicotine based and non-nicotine based smoking cessation products to  
37 eligible enrollees provided that an enrollee shall be provided coverage of no more than two  
38 smoking cessation product therapies in a calendar year, and that the products are made available  
39 in a manner consistent with existing laws and regulations.