

**SENATE . . . . . No. 1029**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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AN ACT RELATIVE TO MENTAL HEALTH PARITY..

*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 22 of Chapter 32A of the General Laws is hereby amended by  
2 striking out subsection (a) and inserting in place the following subsection:

3 The commission shall provide to any active or retired employee of the commonwealth  
4 who is insured under the group insurance commission coverage on a nondiscriminatory basis for  
5 the diagnosis and treatment of the following biologically-based mental disorders, as described in  
6 the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published  
7 by the American Psychiatric Association, referred to in this section as the DSM: (1)  
8 schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4) bipolar disorder;  
9 (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder; (7) panic  
10 disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11) post  
11 traumatic stress disorders; (12) substance abuse disorders; (13) autism; and (14) any biologically-  
12 based mental disorders appearing in the DSM and approved by the commissioner of the  
13 department of mental health in consultation with the commissioner of the division of insurance.

14 SECTION 2. Section 47B of Chapter 175 of the General Laws is hereby amended by  
15 striking out subsection (a) and inserting in place the following subsection:

16 Any individual policy of accident and sickness insurance issued pursuant to section 108,  
17 which provides hospital expense and surgical expense insurance, and any group blanket or  
18 general policy of accident and sickness insurance issued pursuant to section 110, which provides  
19 hospital expense and surgical expense insurance, which is issued or renewed within or without  
20 the commonwealth, shall provide mental health benefits on a nondiscriminatory basis to  
21 residents of the commonwealth and to all policyholders having a principal place of employment  
22 in the commonwealth for the diagnosis and treatment of the following biologically-based mental  
23 disorders, as described in the most recent edition of the Diagnostic and Statistical Manual of  
24 Mental Disorders published by the American Psychiatric Association, referred to in this section  
25 as the DSM: (1) schizophrenia, (2) schizoaffective disorder, (3) major depressive disorder, (4)  
26 bipolar disorder, (5) paranoia and other psychotic disorders, (6) obsessive-compulsive disorder,  
27 (7) panic disorder, (8) delirium and dementia, (9) affective disorders; (10) eating disorders; (11)  
28 post traumatic stress disorders; (12) substance abuse disorders; (13) autism and (14) any  
29 biologically-based mental disorders appearing in the DSM and approved by the commissioner of  
30 the department of mental health in consultation with the commissioner of the division of  
31 insurance.

32 SECTION 3. Section 8A of Chapter 176A of the General Laws is hereby amended by  
33 striking out subsection (a) and inserting in place the following subsection:

34 contract between a subscriber and the corporation under an individual or group hospital  
35 service plan which is issued or renewed within or without the commonwealth shall provide

36 mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all  
37 individual subscribers and members and group members having a principal place of employment  
38 in the commonwealth for the diagnosis and treatment of the following biologically-based mental  
39 disorders, as described in the most recent edition of the Diagnostic and Statistical Manual of  
40 Mental Disorders published by the American Psychiatric Association, referred to in this section  
41 as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4)  
42 bipolar disorder; (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder;  
43 (7) panic disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11)  
44 post traumatic stress disorder; (12) substance abuse disorders; (13) autism; and (14) any  
45 biologically-based mental disorders appearing in the DSM and approved by the commissioner of  
46 the department of mental health in consultation with the commissioner of the division of  
47 insurance.

48 Section 4. 4A of chapter 176B of the General Laws, is hereby amended by striking out  
49 subsection (a) and inserting in place the following subsection:

50 A subscription certificate under an individual or group medical service agreement which  
51 is issued or renewed within or without the commonwealth shall provide mental health benefits on  
52 a nondiscriminatory basis to residents of the commonwealth and to all individual subscribers and  
53 members within the commonwealth and to all group members having a principal place of  
54 employment in the commonwealth for the diagnosis and treatment of the following biologically-  
55 based mental disorders, as described in the most recent edition of the Diagnostic and Statistical  
56 Manual of Mental Disorders published by the American Psychiatric Association, referred to in  
57 this section as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive  
58 disorder; (4) bipolar disorder; (5) paranoia and other psychotic disorders; (6) obsessive-

59 compulsive disorder; (7) panic disorder; (8) delirium and dementia; (9) affective disorders; (10)  
60 eating disorders; (11) post traumatic stress disorder; (12) substance abuse disorders; (13) autism;  
61 and (14) any biologically-based mental disorders appearing in the DSM and approved by the  
62 commissioner of the department of mental health in consultation with the commissioner of the  
63 division of insurance.

64 SECTION 5. Section 4M of chapter 176G of the General Laws, is hereby amended by  
65 striking out subsection (a) and inserting in place the following subsection:

66 A health maintenance contract issued or renewed within or without the commonwealth  
67 shall provide mental health benefits on a nondiscriminatory basis to residents of the  
68 commonwealth and to all members or enrollees having a principal place of employment in the  
69 commonwealth for the diagnosis and treatment of the following biologically-based mental  
70 disorders, as described in the most recent edition of the Diagnostic and Statistical Manual of  
71 Mental Disorders published by the American Psychiatric Association, referred to in this section  
72 as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4)  
73 bipolar disorder; (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder;  
74 (7) panic disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11)  
75 post traumatic stress disorder; (12) substance abuse disorders; (13) autism; and (14) any  
76 biologically-based mental disorders appearing in the DSM and approved by the commissioner of  
77 the department of mental health in consultation with the commissioner of the division of  
78 insurance.