

SENATE No. 511

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to improve health care for rheumatologic patients in the commonwealth..

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 47T of Chapter 175 of the General Laws is hereby amended by
2 adding the following additional new section:

3 Section 47U: The commissioner shall establish an advisory panel of five medical experts
4 to advise the commissioner on whether off-label uses for rheumatologic disease treatment not
5 included in any of the standard reference compendia or in the medical literature are medically
6 appropriate. The panel shall advise the commissioner whenever a dispute about coverage of such
7 off-label prescription drugs prescribed by a physician is brought to the commissioner. All
8 members of the advisory panel shall have significant expertise in treating rheumatologic disease,
9 and the panel shall include at least one physician representing commercial insurers.

10 After consulting with said advisory panel, the commissioner may direct an insurer to
11 make payments required by section forty-seven O of chapter one hundred and seventy-five,
12 section eight P of chapter one hundred and seventy-six A, section four O of chapter one hundred
13 and seventy-six B, and section four F of chapter one hundred and seventy-six G.

14 SECTION 2. Section 47K of Chapter 175 of the General Laws is hereby amended by
15 adding after the phrase “treatment of cancer” in the first, fourth, and eighth paragraphs the words
16 “or rheumatologic disease”.