

**SENATE . . . . . No. 871**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Nine**  
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An Act to Require Equitable Payment from 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 16 of chapter 6A, as appearing in the 2006 Official edition of the  
2 General Laws, is amended by adding, at the end of the thereof, after the word, “programs.” the  
3 following:--

4 And provided further that the secretary of the executive office of health and  
5 human services shall ensure that network hospitals are compensated at their full negotiated rate  
6 for behavioral health services provided to MassHealth patients who are also clients of agencies  
7 within the executive office of health and human services and for whom no appropriate  
8 alternative placement is available. Provided however, such compensation shall only be provided  
9 if the hospital can document that it has engaged in good faith efforts to place said clients in any  
10 appropriate alternative setting.