

# HOUSE . . . . . No. 1199

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***David Paul Linsky***

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act curtailing smoking addiction.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/19/2011</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>	<i>2/3/2011</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>2/3/2011</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/3/2011</i>

# HOUSE . . . . . No. 1199

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By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 1199) of David Paul Linsky and others relative to requiring certain insurance policies to include coverage for nicotine based and non-nicotine based smoking cessation products. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 951 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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:—

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

9           SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after  
10          section 110K the following section:—

11           Section 110L. Any individual policy of accident and sickness insurance issued pursuant  
12 to section 108, and any group policy of accident and sickness insurance issued pursuant to  
13 section 110 shall provide coverage for nicotine based and non-nicotine based smoking cessation  
14 products to eligible enrollees provided that an enrollee shall be provided coverage of no more  
15 than two smoking cessation product therapies in a calendar year, and that the products are made  
16 available in a manner consistent with existing laws and regulations.

17           SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after  
18 section 8U the following section:—

19           Section 8V. Any contract between a subscriber and the corporation under an individual or  
20 group hospital service plan that shall be delivered, issued or renewed in the commonwealth shall  
21 provide, as benefits to all individual subscribers or members having a principal place of  
22 employment within the commonwealth, coverage for nicotine based and non-nicotine based  
23 smoking cessation products to eligible enrollees provided that an enrollee shall be provided  
24 coverage of no more than two smoking cessation product therapies in a calendar year, and that  
25 the products are made available in a manner consistent with existing laws and regulations.

26           SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after  
27 section 4U the following section:—

28           Section 4V. Any subscription certificate under an individual or group medical service  
29 agreement that shall be delivered, issued or renewed in the commonwealth shall provide as a  
30 benefit for all individual subscribers or member within the commonwealth and all group  
31 members having a principal place of employment within the commonwealth, coverage for  
32 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 provide 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.