

**HOUSE . . . . . No. 2458**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bradley H. Jones, Jr.***

*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 relative to local approval of municipal health insurance reform.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/20/2011</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>	<i>1/27/2011</i>
<i>Michael R. Knapik</i>		<i>1/28/2011</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>2/2/2011</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>2/2/2011</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/2/2011</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>	<i>2/2/2011</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/2/2011</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>	<i>2/3/2011</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>	<i>2/3/2011</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>	<i>2/3/2011</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>2/3/2011</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>2/3/2011</i>
<i>Ryan C. Fattman</i>	<i>18th Worcester</i>	<i>2/3/2011</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/4/2011</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>	<i>2/4/2011</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>	<i>2/4/2011</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>2/4/2011</i>

<i>Steven L. Levy</i>	<i>4th Middlesex</i>	<i>2/4/2011</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>2/4/2011</i>
<i>Bruce E. Tarr</i>		<i>2/4/2011</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/4/2011</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>2/4/2011</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>	<i>1/26/2011</i>
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>2/4/2011</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/21/2011</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>	<i>2/1/2011</i>

**HOUSE . . . . . No. 2458**

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2458) of Bradley H. Jones, Jr. and others relative to local approval of municipal health insurance reform. Public Service.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Eleven**

An Act relative to local approval of municipal health insurance reform.

*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 32B of the General Laws, as appearing in the 2008 Official  
2 Edition, is hereby amended by inserting at the end thereof the following new section:

3 "Section 21.(a) Subsection (b) shall take effect in any city or town upon the approval by  
4 the legislative body and their acceptance by the voters of a ballot question as set forth in this  
5 section.

6 (b)Effective July 1, 2011, a governmental unit is authorized to include, as part of the  
7 health plans that it offers to its employees and retirees, co-payments, deductibles and tiered  
8 provider network co-payments or other plan design features that are no greater in dollar amount  
9 than the highest co-payments, deductibles and tiered provider network co-payments or other plan  
10 design features provided in any of the same class of health plans offered by the Group Insurance  
11 Commission pursuant to Chapter 32A. For purposes of this section, a "Point of Service" plan  
12 offered by a governmental unit shall be considered to fall within the PPO class. The above

13 authorized dollar amounts for co-payments, deductibles and tiered provider network copayments  
14 or other plan design features shall be increased whenever the Group Insurance Commission  
15 increases the dollar amount of co-payments and/or deductibles and/or tiered provider network  
16 copayments

17 or other plan design features on the health plans that it offers.

18 A governmental unit may include in its health plans co-payments, deductibles and tiered  
19 provider network co-payments or other plan design features up to the above-referenced amounts  
20 without bargaining pursuant to either Chapter 150E or Section 19 of Chapter 32B concerning the  
21 decision to do so or the impact of the decision.

22 Nothing herein shall prohibit a governmental unit from including in its health plans  
23 higher co-payments, deductibles or tiered provider network co-payments or other plan design  
24 features than those authorized by the preceding paragraphs of this section; but such higher co-  
25 payments, deductibles or tiered provider network co-payments or other plan design features may  
26 be included only after the governmental unit has satisfied any bargaining obligations pursuant to  
27 either Chapter 150E or Section 19 of Chapter 32B.

28 (c) Upon approval by the legislative body, the actions of the body shall be submitted for  
29 acceptance to the voters of a city or town at the next regular municipal or state election. The city  
30 or town clerk or the state secretary shall place it on the ballot in the form of the following  
31 question:

32 "Shall this (city or town) accept subsections a and b of section 21 chapter 32B of the  
33 General Laws, as approved by its legislative body, a summary of which appears below?"

34 (Set forth here a fair, concise summary and purpose of the law to be acted upon, as  
35 determined by the city solicitor or town counsel, as the case may be.)

36 If a majority of the voters voting on said question vote in the affirmative, then its  
37 provisions shall take effect in the city or town, but not otherwise.

38 (d) The final date for notifying or filing a petition with the city or town clerk or the state  
39 secretary to place such a question on the ballot shall be 35 days before the city or town election  
40 or 60 days before the state election.

41 (e) If the legislative body does not vote to accept subsections a and b at least 90 days  
42 before a regular city or town election or 120 days before a state election, then a question seeking  
43 said acceptance may be so placed on the ballot when a petition signed by at least 5 per cent of the  
44 registered voters of the city or town requesting such action is filed with the registrar, who shall  
45 have 7 days after receipt of such petition to certify its signatures. Upon certification of the  
46 signatures, the city or town clerk or the state secretary shall cause the question to be placed on  
47 the ballot at the next regular city or town election held more than 35 days after such certification  
48 or at the next regular state election held more than 60 days after such certification.

49 (f) Upon acceptance of subsections a and b, the provisions of this act shall be imposed.".