

HOUSE No. 2876

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balsler

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 to promote efficient access to mental health services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>1/21/2011</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>2/3/2011</i>

HOUSE No. 2876

By Ms. Balsler of Newton, a petition (accompanied by bill, House, No. 2876) of Ruth B. Balsler and Angelo M. Scaccia relative to promoting efficient access to mental health services. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to promote efficient access to mental health services.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 141 of the Acts of 2000 , Section 20, is hereby amended by adding the following:

2 Health plans that determine medically necessity for behavioral health services that
3 require a review, must provide a pre-service review, and must take reasonable steps to ensure
4 that consumers and providers of behavioral health services are informed of the option of pre-
5 service review including but not limited to providing such information in any written, electronic
6 or telephonic communication describing health plan benefit information. A post-service review
7 that might deny payment will not be considered valid if a pre-service review has not been
8 offered.

9 Further, Behavioral Health plans must give no fewer than 180 days notice to behavioral
10 health providers of any decision to not renew a contract without cause for termination.

11 Further, should a Behavioral Health Plan not renew a behavioral health provider contract,
12 said plan must continue to cover payment for an existing treatment past the termination date of

13 the contract, until such treatment is no longer medically necessary consistent with terms of
14 contract in place at the time of non-renewal and usual and customary utilization management
15 processes.

16 Further, Behavioral Health Providers shall not be prohibited from collecting any portion
17 of a deductible for services rendered at the time of service.

18 Further, Health Plans must show cause for not renewing provider contracts, and must
19 demonstrate that any lawful communication

20 concerning regulations and statutes that effect service delivery is not a factor in said non-
21 renewal