

HOUSE No. 3641

By Mr. Koczera of New Bedford, a petition (subject to Joint Rule 12) of Robert M. Koczera and Mark Montigny relative to health insurance coverage for Devic's disease. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to health insurance coverage for Devic’s Disease.

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 . Chapter 175 of the general laws is hereby amended by adding the following
2 section:-

3 Section 47BB. No individual policy of accident and sickness insurance issued pursuant
4 to section 108, and no group blanket policy of accident and sickness insurance issued pursuant to
5 section 110, shall restrict or discontinue coverage for medically necessary treatments for persons
6 who have been diagnosed with neuromyelitis optica, also known as Devic’s disease. The term
7 “medical necessity” shall be construed in accordance with the guidelines set forth in subsection
8 (b) of section 16 of chapter 176O.

9 SECTION . Chapter 176A of the general laws is hereby amended by adding the
10 following section:-

11 Section 8EE. No contract between a subscriber and the corporation under an individual
12 or group hospital service plan which is delivered, issued or renewed in the commonwealth shall
13 restrict or discontinue coverage for medically necessary treatments for persons who have been

14 diagnosed with neuromyelitis optica, also known as Devic's disease, to an individual or group
15 subscribers within the commonwealth and to a group subscriber having a principal place of
16 employment within the commonwealth, notwithstanding section 27 of chapter 94C. The term
17 "medical necessity" shall be construed in accordance with the guidelines set forth in subsection
18 (b) of section 16 of chapter 176O.

19 SECTION . Chapter 176G of the general laws is hereby amended by adding the
20 following section:-

21 Section 4W. No health maintenance organization shall restrict or discontinue coverage
22 for medically necessary treatments for persons who have been diagnosed with neuromyelitis
23 optica, also known as Devic's disease. The term "medical necessity" shall be construed in
24 accordance with the guidelines set forth in subsection (b) of section 16 of chapter 176O.