

HOUSE No. 4258

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act requiring mental health disclosure for disability policies.

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. The commissioner of the division of insurance shall develop standards and
2 procedures for notification of limitations or exclusions for policies or contracts for disability
3 income benefits due to behavioral health disorders. The notification shall include in any written
4 enrollment material and certificate of coverage developed by the insurer that is intended to be
5 distributed to persons eligible for coverage under the policy or contract a clear and conspicuous
6 notice that accurately explains the benefits available for disability due to behavioral health
7 disorders and any and all limitations or exclusions thereto. The notification process shall include
8 a method to verify receipt by policy holder of said limitations and exclusions. The commissioner
9 of the division of insurance shall develop said standards and procedures no later than June 30,
10 2013. The commissioner shall report his findings, with the clerks of the house of representatives
11 and the senate and the joint committee on financial services. The division of insurance shall
12 adopt, amend or repeal regulations to aid in the administration and enforcement of this section.