

**SENATE . . . . . No. 417**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Cynthia S. Creem*

*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 providing health insurance coverage for scalp hair prosthesis.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cynthia S. Creem</i>	
<i>James E. Timilty</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>John Hart, Jr.</i>	
<i>Frederick E. Berry</i>	

**SENATE . . . . . No. 417**

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By Ms. Creem, a petition (accompanied by bill, Senate, No. 417) of Cynthia S. Creem, James E. Timilty, Carolyn C. Dykema, John Hart, Jr. and others for legislation to provide health insurance coverage for scalp hair prosthesis. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 523 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act providing health insurance coverage for scalp hair prosthesis.

*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.Subsection (b) of section 17E of chapter 32A of the General Laws,  
2 as so appearing in the 2008 Official Edition, , is hereby amended by inserting, in line 11, after  
3 the words “cancer or leukemia;” the following:- or as a result of alopecia areata, alopecia totalis,  
4 non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however,  
5 that the alopecia is not part of the natural or premature aging process; and

6                   SECTION 2. Chapter 175 of the General Laws, as appearing in the 2008  
7 Official Edition, is hereby amended by inserting after section 47AA the following section:-

8                   Section 47BB. (a) As used in this section, the following words shall have the  
9 following meanings:

10                   “Prosthesis”, an artificial appliance used to replace a lost natural structure;  
11 provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs,  
12 breasts, scalp hair or glass eyes.

13                   “Scalp hair prosthesis”, an artificial substitute for scalp hair.

14                   (b) An individual policy of accident and sickness insurance issued under  
15 section 108 that provides hospital expense and surgical expense insurance and any group blanket  
16 or general policy of accident and sickness insurance issued under section 110 that provides  
17 hospital expense and surgical expense insurance, which is issued or renewed within or without  
18 the commonwealth, shall provide benefits on a nondiscriminatory basis for any other prosthesis,  
19 coverage for expenses for scalp hair prostheses worn for hair loss suffered as a result of the  
20 treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis,  
21 non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however,  
22 that the alopecia is not part of the natural or premature aging process; and provided, however,  
23 that such coverage shall be subject to a written statement by the treating physician that the scalp  
24 hair prosthesis is medically necessary; and provided, further, that such coverage shall be subject  
25 to the same limitations and guidelines as other prostheses.

26                   SECTION 3. Chapter 176A of the General Laws, as so appearing, is hereby  
27 amended by inserting after section 8DD the following section:-

28                   Section EE.

29                   (a) As used in this section, the following words shall have the following  
30 meanings::

31                   “Prosthesis”, an artificial appliance used to replace a lost natural structure;  
32 provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs,  
33 breasts, scalp hair or glass eyes.

34                   “Scalp hair prosthesis”, an artificial substitute for scalp hair.

35                   A contract between a subscriber and the corporation under an individual or  
36 group hospital service plan which is issued or renewed within or without the commonwealth  
37 shall provide benefits on a nondiscriminatory basis for for expenses for scalp hair prosthesis  
38 worn for hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a  
39 result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of scalp  
40 hair due to injury; provided, however, that the alopecia is not part of the natural or premature  
41 aging process; and provided, however, that such coverage shall be subject to a written statement  
42 by the treating physician that the scalp hair prosthesis is medically necessary. Such coverage  
43 shall be subject to the same limitations and guidelines as other prosthesis. Such prosthesis  
44 coverage shall be provided at a minimum at the same amount and frequency as any state insurer  
45 provides for hair prostheses for hair loss due to chemotherapy

46                   SECTION 4. Chapter 176B of the General Laws, as so appearing, is hereby  
47 amended by inserting after section 4DD the following section:-

48                   Section 4EE.

49                   (a) As used in this section, the following words shall have the following  
50 meanings::

51                   “Prosthesis”, an artificial appliance used to replace a lost natural structure;  
52 provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs,  
53 breasts, scalp hair or glass eyes.

54                   “Scalp hair prosthesis”, an artificial substitute for scalp hair.

55                   A subscription certificate under an individual or group medical service  
56 agreement which is issued or renewed within or without the commonwealth shall provide  
57 benefits on a nondiscriminatory basis for f expenses for scalp hair prosthesis worn for hair loss  
58 suffered as a result of of the treatment of any form of cancer or leukemia, or as a result of  
59 alopecia areata, alopecia totalis, non-classical 21-hydroxylase, or permanent loss of scalp hair  
60 due to injury; provided, however, that the alopecia is not part of the natural or premature aging  
61 process. Such coverage, however, shall be subject to a written statement by the treating physician  
62 that the hair prosthesis is medically necessary. Such coverage shall be subject to the same  
63 limitations and guidelines as other prosthesis. Such scalp hair prosthesis coverage shall be  
64 provided at a minimum at the same amount and frequency as any state insurer provides for hair  
65 prostheses for hair loss due to chemotherapy.

66                   SECTION 5. Chapter 176G of the General Laws, as so appearing, is hereby  
67 amended by inserting after section 4V the following section:-

68                   Section 4W.

69                   (a) As used in this section, the following words shall have the following  
70 meanings::

71                   “Prosthesis”, an artificial appliance used to replace a lost natural structure;  
72 provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs,  
73 breasts, scalp hair or glass eyes.

74                   “Scalp hair prosthesis”, an artificial substitute for scalp hair.

75                   A health maintenance contract issued or renewed within or without the  
76 commonwealth shall provide benefits on a nondiscriminatory basis for hair loss suffered as a  
77 result of the treatment of any form of cancer or leukemia, or as a result of alopecia areata,  
78 alopecia totalis, non-classical 21-hydroxylase or permanent loss of scalp hair due to injury;  
79 provided, however, that the alopecia is not part of the natural or premature aging process; and  
80 provided, however, that such coverage shall be subject to a written statement by the treating  
81 physician that the scalp hair prosthesis is medically necessary. Such coverage shall be subject to  
82 the same limitations and guidelines as other prosthesis. Such prosthesis coverage shall be  
83 provided at a minimum at the same amount and frequency as any state insurer provides for hair  
84 prostheses for hair loss due to chemotherapy.