

SENATE No. 417

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

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.

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

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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.