

**HOUSE . . . . . No. 1020**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul J. Donato***

*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 relating to equitable provider reimbursement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/10/2013</i>

**HOUSE . . . . . No. 1020**

By Mr. Donato of Medford, a petition (accompanied by bill, House, No. 1020) of Paul J. Donato for legislation to require that certain health care providers not included in a managed care organization’s network accept rates equal to the rate paid by Medicaid for the same or similar services. Health Care Financing.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relating to equitable provider reimbursement.

*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 12 of Chapter 118E of the General Laws is hereby amended by inserting at the  
2 beginning of the section the following new definitions:

3 “Managed Care Organization”, any entity with which the Commonwealth contracts to  
4 provide managed care services to eligible MassHealth enrollees on a capitated basis.

5 "Network", a grouping of health care providers who contract with a managed care  
6 organization to provide services to MassHealth enrollees covered by the managed care  
7 organization’s plans, policies, contracts or other arrangements.

8 “Non-network provider”, a health care provider who has not entered into a contract with  
9 a managed care organization to provide services to MassHealth enrollees.

10 Section 12 of Chapter 118E of the General Laws is further amended by inserting at the  
11 end of the section the following new language:

12 For emergency, post-stabilization, and certain other services that have received a prior  
13 approval by a managed care organization contracting with the Commonwealth to provide  
14 managed care services to MassHealth enrollees, health care providers not included in a managed  
15 care organization’s network, must accept a rate equal to the rate paid by Medicaid for the same  
16 or similar services. Nothing in this section shall prohibit a managed care organization from  
17 denying payment for unapproved services conducted by a non-network provider.