

HOUSE No. 924

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 relative to administrative simplification.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>
<i>Donald Humason</i>	
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Daniel B. Winslow</i>	<i>9th Norfolk</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>

HOUSE No. 924

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 924) of Bradley H. Jones, Jr. and others relative to determinations of medical necessity by insurance carriers or utilization review organizations. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2061 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to administrative simplification.

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. Section 12 of chapter 176O of the General Laws, as most recently amended
2 by section 199 of chapter 224 of the acts of 2012, is hereby amended by striking out subsections
3 (b) and (c) and inserting in place thereof the following subsections:--

4 (b) A carrier or utilization review organization shall make a determination regarding the
5 medical necessity of a proposed admission, procedure or service that requires a determination
6 within two working days of obtaining all necessary information. For purposes of this section,
7 "necessary information" shall include the results of any face-to-face clinical evaluation or second
8 opinion that may be required. In the case of a determination to approve an admission, procedure
9 or service, the carrier or utilization review organization shall notify the provider rendering or
10 requesting the service within 24 hours. In the case of an adverse determination, the carrier or
11 utilization review organization shall notify the provider rendering or requesting the service
12 within 24 hours, and shall provide written or electronic confirmation of the notification to the
13 insured and the provider within one working day thereafter.

14 (c) A carrier or utilization review organization shall make a concurrent review
15 determination within one working day of obtaining all necessary information. In the case of a
16 determination to approve an extended stay or additional services, the carrier or utilization review
17 organization shall notify the provider rendering or requesting the service within one working

18 day. In the case of an adverse determination, the carrier or utilization review organization shall
19 notify the provider rendering or requesting the service within 24 hours and shall provide written
20 or electronic notification to the insured and the provider within one working day thereafter. The
21 service shall be continued without liability to the insured until the insured has been notified of
22 the determination.

23 SECTION 2. Subsection (a) of Section 6 of chapter 176O of the General Laws, as most
24 recently amended by section 192 of chapter 224 of the acts of 2012, is hereby amended by
25 striking out clause (2) thereof.