HOUSE DOCKET, NO. 419 FILED ON: 1/11/2013

HOUSE . . . . . No. 932

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 anesthesia coverage for children hospitalized for dental treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kay Khan	*11th Middlesex*	*1/11/2013*
Denise Andrews	*2nd Franklin*	*1/28/2013*
Christine E. Canavan	*10th Plymouth*	*1/30/2013*
Marcos A. Devers	*16th Essex*	*1/28/2013*
Ann-Margaret Ferrante	*5th Essex*	*1/30/2013*
Gloria L. Fox	*7th Suffolk*	*2/1/2013*
Peter V. Kocot	*1st Hampshire*	*1/27/2013*
John W. Scibak	*2nd Hampshire*	*1/30/2013*

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HOUSE . . . . . No. 932

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 932) of Kay Khan and others relative to anesthesia insurance coverage for children hospitalized for dental treatment. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1190* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to anesthesia coverage for children hospitalized for dental treatment.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws, as so appearing in the 2006 Official Edition, is hereby amended by inserting after section 47T the following new section:- Section 47U. Any individual policy of accident and sickness insurance issued pursuant to section 108 which provides hospital expense and surgical expense insurance, except policies providing supplemental coverage to Medicare or other governmental programs, and any group blanket policy of accident and sickness insurance issued pursuant to section 110 which provides hospital expense and surgical expense insurance, except policies providing supplemental coverage to Medicare or other governmental programs, delivered, issued or reviewed by agreement between the insurer and the policyholder, within or without the commonwealth, shall provide coverage for anesthesia and out-patient facility (hospital and ambulatory surgical center) charges for dental care provided to a person who is a child under the age of six; or is severely disabled, or has a medical condition and who requires hospitalization for dental care procedures in the same manner that prior authorization is required for hospitalization for other covered diseases or conditions. Said policy shall provide coverage for general anesthesia rendered by an anesthesiologist and hospital costs for a medical condition covered by the policy, regardless of whether the services are provided in an ambulatory surgical center (ASC) or hospital.

SECTION 2. Chapter 176A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 8AA the following new section:- Section 8AB. Any contract between a subscriber and the corporation under an individual or group hospital service plan or certificate of health insurance which provides hospital expense and surgical expense insurance, except contracts providing supplemental coverage to Medicare or other governmental programs, delivered, issued or renewed by agreement between the insurer and the policy holder, within or without the commonwealth, shall provide benefits for residents of the commonwealth and to all individuals and group members having a principal place of employment within the commonwealth for anesthesia and hospital charges for dental care provided to a person who is a child under the age of six; or is severely disabled, or has a medical condition and who requires hospitalization or general anesthesia for dental care treatment. A carrier may require prior authorization of out-patient facility or hospitalization for dental care procedures in the same manner that prior authorization is required for hospitalization for other covered diseases or conditions. Said policy shall provide coverage for general anesthesia rendered by an anesthesiologist and hospital costs for aforementioned medical conditions covered by the policy, regardless of whether the services are provided in an ASC or hospital.

SECTION 3. Chapter 176B of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting a section 4R the following new section:- Section 4S. Any subscription certificate under an individual group medical service agreement which provides hospital expense and surgical expense insurance, except certificates which provides supplemental coverage to Medicare or to other governmental programs, delivered, issued or renewed by agreement between insurer and the policyholder, within or without the commonwealth, shall provide benefits for all individual and group members having a principal place of employment within the commonwealth for anesthesia and ASC/hospital charges for dental care provided to a person who is a child under the age of six; or is severely disabled, or has a medical condition and who requires hospitalization or general anesthesia for dental care treatment carrier may require prior authorization of hospitalization for dental care procedure in the same manner that prior authorization is required for hospitalization for other covered diseases or conditions. Said policy shall provide coverage for general anesthesia rendered by an anesthesiologist and hospital costs for a medical condition covered by the policy, regardless of whether the services are provided in an ASC or hospital.

SECTION 4. Chapter 176G of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 4Q the following new section :- Section 4R. Any individual or group health maintenance contracts, except contracts providing supplemental coverage to Medicare or other governmental programs, delivered, issues or renewed by agreement between the insurer and the policyholder, within or without the commonwealth, shall provide benefits for all individual and group members having a principal place of employment within the commonwealth for anesthesia and ASC/hospital charges provided to a person who is a child under the age of six; or is severely disabled, or has a medical condition and who requires

hospitalization or general anesthesia for dental care treatment. A carrier may require prior authorization of hospitalization for dental care procedures in the same manner that prior authorization is required for hospitalization for other covered diseases or conditions. Said policy shall provide coverage for general anesthesia rendered by an anesthesiologist and hospital costs for aforementioned medical conditions covered by the policy, regardless of whether the services are provided in an ASC or hospital. Nothing in this section shall prohibit any health maintenance organization from requiring members seeking ASC care/hospitalization and anesthesia for dental care procedures to use a network provider.