

**HOUSE . . . . . No. 1036**

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Ellen Story*

*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 continuity of care for families enrolled in MassHealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>

<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>

**HOUSE . . . . . No. 1036**

By Ms. Story of Amherst, a petition (accompanied by bill, House, No. 1036) of Ellen Story and others relative to continuity of care for families enrolled in MassHealth. Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1058 OF 2013-2014.]

**The Commonwealth of Massachusetts**

In the One Hundred and Eighty-Ninth General Court  
(2015-2016)

An Act relative to continuity of care for families enrolled in MassHealth.

*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. Chapter 118E of the General Laws is hereby amended by inserting after  
2 section 9F the following new section:-

3 Section 9G. Primary Care Assignments

4 (a) In the case of a MassHealth member under the age of 18 who is re-enrolled in  
5 MassHealth after a lapse in MassHealth coverage of less than 18-months duration, the office of  
6 Medicaid shall make every effort to assign the child to the same primary care provider that  
7 either, in order of priority:

8 (1) The family had designated as the primary care provider of choice for the child; or

9 (2) The child had been assigned by MassHealth previously.

10 In all cases a more recent, active choice by the family of another primary care provider  
11 for the child shall take priority over any of the above.

12 (b) In the case of a MassHealth member under the age of 18 who is enrolled in a  
13 Managed Care Plan during a change of networks or contractual arrangements, Medicaid and the  
14 plan shall make every effort to assign the child to a new plan that allows for access to the same  
15 primary care provider that either in priority:

16 (1) The family had designated as the primary care provider of choice for the child; or

17 (2) The child had been assigned to previously.

18 (c) In the case of a newborn child enrolled in MassHealth who is born to, or adopted by a  
19 custodial parent with other children who are enrolled in MassHealth, the office of Medicaid shall  
20 make every effort to assign the newborn child to the same primary care provider that sees the  
21 older children. In the event that the child's older siblings are assigned to different primary care  
22 providers, the office of Medicaid shall assign the child to the same primary care provider as the  
23 next youngest child. In all cases, the custodial parents' active choice of a different primary care  
24 provider shall be honored.

25 (d) Primary care assignments not meeting the criteria of subsections (a) and (b) above  
26 shall not prevent a child from seeing the provider to which they should have been assigned had  
27 this criteria been followed by MassHealth, and shall not prevent a primary care provider from  
28 being reimbursed for any visit that would have been reimbursed had the requirements of this  
29 section been met.