

# **HOUSE . . . . . No. 4205**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, April 13, 2016.

The committee on the Financial Services to whom was referred the petition (accompanied by bill, House, No. 941) of John W. Scibak and others relative to insurance coverage and payment for prescribed treatment for mitochondrial disease, reports recommending that the accompanying bill (House, No. 4205) ought to pass.

For the committee,

AARON MICHLEWITZ.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to the care and treatment of patients with mitochondrial disease.

*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 32A of the General Laws is hereby amended by inserting after  
2 section 17N, as appearing in the 2014 Official Edition, the following section:-

3           Section 17O. Any coverage offered by the commission to an active or retired employee  
4 of the commonwealth shall provide coverage for treatment of mitochondrial disease. Said  
5 treatment shall include, but not be limited to, the use of vitamin and nutritional supplements,  
6 such as CoEnzyme Q10, Vitamin E, Vitamin C, Vitamin B1, Vitamin B2, Vitamin K1 and L-  
7 Carnitine.

8           SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after  
9 section 10I, inserted by section 105 of chapter 46 of the acts of 2015, the following section:-

10          Section 10J. The division shall provide coverage for treatment of mitochondrial disease.  
11 Said treatment shall include, but not be limited to, the use of vitamin and nutritional  
12 supplements, such as CoEnzyme Q10, Vitamin E, Vitamin C, Vitamin B1, Vitamin B2, Vitamin  
13 K1 and L-Carnitine.

14 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after  
15 section 47GG, as so appearing, the following section:-

16 Section 47HH. The following shall provide coverage for treatment of mitochondrial  
17 disease. Said treatment shall include, but not be limited to, the use of vitamin and nutritional  
18 supplements, such as CoEnzyme Q10, Vitamin E, Vitamin C, Vitamin B1, Vitamin B2, Vitamin  
19 K1 and L-Carnitine: (i) any policy of accident and sickness insurance, as described in section  
20 108, which provides hospital expense and surgical expense insurance and which is delivered,  
21 issued or subsequently renewed by agreement between the insurer and policyholder in the  
22 commonwealth; (ii) any blanket or general policy of insurance described in subdivision (A), (C)  
23 or (D) of section 110 which provides hospital expense and surgical expense insurance and which  
24 is delivered, issued or subsequently renewed by agreement between the insurer and the  
25 policyholder in or outside of the commonwealth; or (iii) any employees' health and welfare fund  
26 which provides hospital expense and surgical expense benefits and which is delivered, issued or  
27 renewed to any person or group of persons in the commonwealth.

28 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after  
29 section 8II, as so appearing, the following section:-

30 Section 8JJ. Any contract between a subscriber and the corporation under an individual or  
31 group hospital service plan which is delivered, issued or renewed within the commonwealth shall  
32 provide coverage for treatment of mitochondrial disease. Said treatment shall include, but not be  
33 limited to, the use of vitamin and nutritional supplements, such as CoEnzyme Q10, Vitamin E,  
34 Vitamin C, Vitamin B1, Vitamin B2, Vitamin K1 and L-Carnitine.

35 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after  
36 section 4II, as so appearing, the following section:-

37 Section 4JJ. Any subscription certificate under an individual or group medical service  
38 agreement delivered, issued or renewed within the commonwealth shall provide coverage for  
39 treatment of mitochondrial disease. Said treatment shall include, but not be limited to, the use of  
40 vitamin and nutritional supplements, such as CoEnzyme Q10, Vitamin E, Vitamin C, Vitamin  
41 B1, Vitamin B2, Vitamin K1 and L-Carnitine.

42 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after  
43 section 4AA, as so appearing, the following section:-

44 Section 4BB. Any individual or group health maintenance contract shall provide  
45 coverage for treatment of mitochondrial disease. Said treatment shall include, but not be limited  
46 to, the use of vitamin and nutritional supplements, such as CoEnzyme Q10, Vitamin E, Vitamin  
47 C, Vitamin B1, Vitamin B2, Vitamin K1 and L-Carnitine.