An Act relative to long-term antibiotic therapy for the treatment of Lyme disease.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for long-term antibiotic therapy for the treatment of Lyme disease, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 is hereby amended by inserting after section 47GG the following section:-

Section 47HH. (a) For the purposes of this section, “Lyme disease” and “Long-term antibiotic therapy” and “Lyme disease” shall have the same meaning as ascribed to them in section 12DD of chapter 112.

(b) A policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides medical expense coverage shall provide coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be...
medically necessary and ordered by a licensed physician after making a thorough evaluation of
the patient’s symptoms, diagnostic test results, or response to treatment. An experimental drug
shall be covered as a long-term antibiotic therapy if it is approved for any indication by the
United States Food and Drug Administration; provided, however, that a drug, including an
experimental drug, shall be covered for an off-label use in the treatment of Lyme disease if the
drug has been approved by the United States Food and Drug Administration.

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after
section 8II the following section:-

Section 8JJ. (a) For the purposes of this section, “Long-term antibiotic therapy” and
“Lyme disease” shall have the same mean as ascribed to them in section 12DD of chapter 112.

(b) A contract between a subscriber and the corporation under an individual or group
hospital service plan that is delivered, issued or renewed within the commonwealth shall provide
coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be
medically necessary and ordered by a licensed physician after making a thorough evaluation of
the patient’s symptoms, diagnostic test results, or response to treatment. An experimental drug
shall be covered as a long-term antibiotic therapy if it is approved for any indication by the
United States Food and Drug Administration; provided, however, that a drug, including an
experimental drug, shall be covered for an off-label use in the treatment of Lyme disease if the
drug has been approved by the United States Food and Drug Administration.

SECTION 3. Chapter 176B of the General Laws is hereby amended by inserting after
section 4II the following section:-
Section 4JJ. (a) For the purposes of this section, “Long-term antibiotic therapy” and “Lyme disease” shall have the same mean as ascribed to them in section 12DD of chapter 112.

(b) A subscription certificate under an individual or group medical service agreement delivered, issued or renewed within the commonwealth shall provide coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient’s symptoms, diagnostic test results, or response to treatment. An experimental drug shall be covered as a long-term antibiotic therapy if it is approved for any indication by the United States Food and Drug Administration; provided, however, that a drug, including an experimental drug, shall be covered for an off-label use in the treatment of Lyme disease if the drug has been approved by the United States Food and Drug Administration.

SECTION 4. Chapter 176G of the General Laws is hereby amended by inserting after section 4AA the following section:-

Section 4BB. (a) For the purposes of this section, “Long-term antibiotic therapy” and “Lyme disease” shall have the same mean as ascribed to them in section 12DD of chapter 112.

(b) An individual or group health maintenance contract shall provide coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient’s symptoms, diagnostic test results, or response to treatment. An experimental drug shall be covered as a long-term antibiotic therapy if it is approved for any indication by the United States Food and Drug Administration; provided, however, that a drug, including an experimental drug,
shall be covered for an off-label use in the treatment of Lyme disease if the drug has been approved by the United States Food and Drug Administration.

SECTION 5. This act shall take effect as of July 1, 2016.