

HOUSE No. 4635

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 26, 2016.

The committee on Health Care Financing to whom were referred the Bill supporting individuals with intellectual and developmental disabilities (Senate, No. 2211); the Bill relative to familial dysautonomia (House, No. 67); the Bill establishing a pilot program for adults with Asperger syndrome and autism (House, No. 74); the Bill relative to living at home with use of technology for people with disabilities and seniors (House, No. 126); the Bill to establish an office of youth development (House, No. 135, changed); the Bill establishing a board of registration in physical therapy (House, No. 176); the Bill relative to ensuring the wellbeing of all children in the Commonwealth (House, No. 429); the Bill relative to the disclosure of toxic chemicals in children's products (House, No. 697); the Bill relative to increasing access to psychological services (House, No. 1784, changed); the Bill to ensure behavioral health integration (House, No. 1786); the Bill relative to expanding access and safety of mental health services (House, No. 1787); the Bill establishing a behavioral health workforce development trust fund (House, No. 1788); the Bill relative to substance abuse accountable care organizations (House, No. 1789); the Bill relative to creating a pilot program to transfer high acuity behavioral health and dual diagnosis patients away from overcrowded emergency departments (House, No. 1793); the Bill to further define medical necessity determinations (House, No. 1795); the Bill relative to juvenile mental health (House, No. 1798); the Bill relative to the discharge of persons incompetent to stand trial (House, No. 1802); the Bill to protect children's mental health services (House, No. 1804); the Bill providing equitable access to behavioral health services for MassHealth consumers (House, No. 1805, changed); the Bill relative to diversion to substance abuse treatment for non-violent drug offenders (House, No. 1806); the Bill

relative to Health Policy Commission oversight of insurer transactions (House, No. 1807); the Bill relative to behavioral health access (House, No. 1808); the Bill relative to medication assisted treatment for opioid addiction (House, No. 1809); the Bill relative to behavioral health telemedicine (House, No. 1810); the Bill relative to addictions training (House, No. 1811); the Bill to promote accessibility and affordability of behavioral health and substance abuse services for recipients of MassHealth (House, No. 1812); the Bill regarding the rights of persons receiving services through the Department of Mental Health (House, No. 1814); the Bill providing opportunity for youth with substance abuse needs (House, No. 1815); the Bill relative to the civil commitment of mentally ill persons to Bridgewater State Hospital (House, No. 1817); the Bill relative to applications for temporary involuntary hospitalization (House, No. 1818); the Bill to require equitable payment from the Commonwealth (House, No. 1819); the Bill relative to services for persons with mental illness who are living with older family members or primary caretakers (House, No. 1820); the Bill to provide services for medically ill and mentally ill persons (House, No. 1821); the Bill relative to providing appropriate medical care for persons in mental health facilities (House, No. 1822); the Bill creating a special commission on applied behavior analysis (House, No. 1823); the Bill to ensure patient medication adherence (House, No. 1915); the Bill relative to medical peer review (House, No. 1918); the Bill relative to micro-bead free waters (House, No. 1934); the Bill requiring pain assessment and management in healthcare facilities (House, No. 1993); the Bill to protect sports medicine professionals (House, No. 1997); the Bill relative to dental hygienists (House, No. 2000); the Bill relative to a special commission to study electric and magnetic fields (House, No. 2007); the Bill expanding eligibility for the Massachusetts loan repayment program for dental providers (House, No. 2053); the Bill relative to the restoration of MassHealth adult dental benefits (House, No. 2062); the Bill relative to emergency medical transportation provided to veterans (House, No. 3167); the Bill relative to providing culturally competent services in the commonwealth (House, No. 3207); the Bill relative to improving mental health care through innovation (House, No. 3461); the Bill relative to healthy youth (House, No. 3754); the Bill to clarify section 9A1/2 of chapter 32B (House, No. 3847); the Bill protecting the health and safety of people in restaurants (House, No. 3987); the Bill relative to expanding veterinary treatment practices (House, No. 3989); the Bill creating a commission to study concussions that occur as a result of varsity sports in public and private high schools (House, No. 3994); the Bill relative to nurse licensure compact in Massachusetts (House, No. 3996); the Bill relative to medical physics (House, No. 4048); and the Bill relative to home health and hospice aides (House, No. 4067); and the petition (accompanied by bill, (House, No. 963) of James Arciero and Daniel F. Cahill relative to the determination of need for health provider

organizations participating in an accountable care organization; the joint petition (accompanied by bill, (House, No. 964) of Ruth B. Balser and others for legislation to preserve affordable health coverage for residents of the Commonwealth; the petition (accompanied by bill, (House, No. 965) of Jennifer E. Benson and others for legislation to compare total health care spending with projected single payer health care system spending; the petition (accompanied by bill, (House, No. 967) of Jennifer E. Benson and others for legislation relative to the establishment of a Medicaid and health care reform Federal Medical Assistance Percentage (FMAP) trust fund; the petition (accompanied by bill, (House, No. 968) of Jennifer E. Benson and others that the Office of Medicaid be directed to establish a bundled payment pilot program; the petition (accompanied by bill, (House, No. 969) of Garrett J. Bradley, James M. Cantwell and Robert L. Hedlund relative to the definition of autism in the childrens autism Medicaid waiver; the petition (accompanied by bill, (House, No. 970) of Garrett J. Bradley and others relative to public health, substance abuse, treatment and opioids and accessible substance abuse treatment for all; the petition (accompanied by bill, (House, No. 971) of Tackey Chan for legislation to promote uniform costs charged by health care providers; the petition (accompanied by bill, (House, No. 972) of Tackey Chan for legislation to reduce the liability of acute hospitals relative to the Health Safety Net Trust Fund; the petition (accompanied by bill, (House, No. 973) of Claire D. Cronin and others relative to contracts required by health care organizations; the petition (accompanied by bill, (House, No. 974) of Mark J. Cusack relative to health insurance consumer protections; the petition (accompanied by bill, (House, No. 975) of Mark J. Cusack for legislation to reduce fraudulent billing practices for health care costs; the petition (accompanied by bill, (House, No. 977) of Mark J. Cusack relative to the base premium rate discount of selective and tiered network insurance products; the petition (accompanied by bill, (House, No. 978) of Mark J. Cusack relative to expanding the Distressed Hospital Fund to the moral obligation bond program; the petition (accompanied by bill, (House, No. 979) of Josh S. Cutler and others relative to hospital profit transparency and fairness and the establishment of a Medicaid reimbursement enhancement fund; the petition (accompanied by bill, (House, No. 980) of Josh S. Cutler, James M. Cantwell and Thomas J. Calter relative to funding the Behavioral Health Workforce Development Trust Fund; the petition (accompanied by bill, (House, No. 981) of Diana DiZoglio and others relative to the financial impact of the costs associated with the Health Connector and compliance with the Affordable Care Act; the petition (accompanied by bill, (House, No. 982) of Paul J. Donato that the Office of Medicaid implement a goal-driven, performance-based program to improve the quality and coordination of managed care; the petition (accompanied by bill, (House, No. 983) of Paul J. Donato and Jason M. Lewis relative to equitable health care provider reimbursement; the petition (accompanied by bill, (House, No. 984) of Tricia Farley-

Bouvier and others for legislation to establish a program within the Executive Office of Health and Human Services to eliminate copays and deductibles for certain high-value and low-cost prescription drugs and treatments; the petition (accompanied by bill, (House, No. 986) of William C. Galvin and Louis L. Kafka for legislation to encourage quality reviews and reduce costs in health care; the petition (accompanied by bill, (House, No. 987) of Sean Garballey and others relative to medical assistance recipients' assets; the petition (accompanied by bill, (House, No. 990) of Colleen M. Garry relative to MassHealth coverage for self-inflicted injuries received by protestors during illegal protests; the petition (accompanied by bill, (House, No. 991) of Thomas A. Golden, Jr., and others for legislation to provide insurance coverage for chemical dependency, including alcoholism, within the Division of Medical Assistance; the petition (accompanied by bill, (House, No. 992) of Thomas A. Golden, Jr., and David M. Nangle for legislation to reduce the cost of coverage for small businesses by instituting reforms to the mandated health benefits; the petition (accompanied by bill, (House, No. 994) of Patricia A. Haddad relative to requiring increased transparency in data reporting by health care providers; the petition (accompanied by bill, (House, No. 996) of Kate Hogan and others relative to the payment and preservation of beds in nursing home facilities for recipients of MassHealth benefits; the petition (accompanied by bill, (House, No. 1001) of Daniel J. Hunt and Linda Dorcena Forry for legislation to require MassHealth and Medicaid managed care organizations to pay for certain services rendered to patients required to wait in hospital emergency rooms while awaiting placement in behavioral health beds; the petition (accompanied by bill, (House, No. 1002) of Bradley H. Jones, Jr., and others for an investigation by a special commission (including members of the General Court) relative to copayments for MassHealth members; the petition (accompanied by bill, (House, No. 1003) of Bradley H. Jones, Jr., and others for the imposition of a moratorium on the enactment of new mandated health benefits; the petition (accompanied by bill, (House, No. 1004) of Bradley H. Jones, Jr., and others relative to requiring that the health care cost growth benchmark be equal to the growth rate of potential gross state product; the petition (accompanied by bill, (House, No. 1006) of Stephen Kulik relative to administering national standards to Medicaid medical necessity reviews; the petition (accompanied by bill, (House, No. 1009) of Elizabeth A. Malia and others for legislation to provide for primary and preventative health care services for certain children in the Commonwealth; the petition (accompanied by bill, (House, No. 1010) of Paul W. Mark for legislation to provide health care coverage by the Division of Medical Assistance for mandibular advancement splints in the treatment of obstructive sleep apnea; the petition (accompanied by bill, (House, No. 1011) of Paul W. Mark for legislation to exclude certain business expenses and income deductions as income for MassHealth; the petition (accompanied by bill, (House, No. 1012) of Paul McMurtry and

Marjorie C. Decker relative to the establishment of rates of payment to medical providers for workers' compensation; the petition (accompanied by bill, (House, No. 1013) of Aaron Michlewitz for legislation to prohibit health care providers from attempting to recoup unreimbursed amounts paid by government payors by increasing charges to nongovernmental payors; the petition (accompanied by bill, (House, No. 1014) of Aaron Michlewitz relative to payments to out-of-network health care providers for services rendered to persons covered under contracts with risk-bearing provider organizations; the petition (accompanied by bill, (House, No. 1015) of Michael J. Moran for legislation to establish a one-time surcharge assessment by the Health Policy Commission (HPC) on all surcharge payers; the petition (accompanied by bill, (House, No. 1016) of David M. Nangle for legislation to strengthen health care provider market impact reviews; the petition (accompanied by bill, (House, No. 1017) of David M. Nangle for legislation to set standards for review by the Attorney General of health care provider practices; the petition (accompanied by bill, (House, No. 1019) of David M. Nangle relative to the exceeding of health care cost growth benchmarks by certain providers or provider organizations; the petition (accompanied by bill, (House, No. 1020) of William Smitty Pignatelli and Marjorie C. Decker for legislation to prevent retroactive termination of the Commonwealth Health Insurance Connector coverage for individuals at or below three hundred percent of the federal poverty guidelines; the petition (accompanied by bill, (House, No. 1021) of Denise Provost, Dennis A. Rosa and Kay Khan for legislation to require the Department of Public Health to update regulations governing licensed health care facilities with requirements relative to the federal standards for accessible medical equipment; the petition (accompanied by bill, (House, No. 1022) of Denise Provost and others for legislation to eliminate age discrimination in the MassHealth Program; the petition (accompanied by bill, (House, No. 1023) of Angelo J. Puppola, Jr., relative to the effective date of the interoperable electronic health records system; the petition (accompanied by bill, (House, No. 1026) of Tom Sannicandro and others for legislation to establish a single-payer health insurance trust fund; the petition (accompanied by bill, (House, No. 1027) of Tom Sannicandro relative to the purchase of prescription drugs from Canada; the petition (accompanied by bill, (House, No. 1028) of Angelo M. Scaccia for legislation to require the Division of Medical Assistance to provide adequate, annually adjusted rates; the petition (accompanied by bill, (House, No. 1029) of John W. Scibak and Benjamin Swan relative to increasing the membership of the Health Care Workforce Advisory Council; the petition (accompanied by bill, (House, No. 1030) of John W. Scibak and others relative to establishing a grants program to increase dental services to Medicaid eligible patients; the petition (accompanied by bill, (House, No. 1031) of John W. Scibak relative to the Health Care Security Trust Board of Trustees; the petition (accompanied by bill, (House, No. 1032) of John W.

Scibak and others relative to the management of early childhood caries among MassHealth patients; the petition (accompanied by bill, (House, No. 1033) of John W. Scibak and others for legislation to create a public health insurance agency to compete with private insurers; the petition (accompanied by bill, (House, No. 1034) of Alan Silvia, Paul A. Schmid III and Carole A. Fiola relative to the financing and providing of health care services, including adult foster care, involving federal and state health care programs; the petition (accompanied by bill, (House, No. 1035) of Theodore C. Speliotis relative to patient co-payment rates for care provided by physician assistants and nurse practitioners; the petition (accompanied by bill, House, No. 1295) of Michael J. Finn relative to the adoption of alternative payment methodologies from the Office of Medicaid; the petition (accompanied by bill, House, No. 1910) of Nick Collins for legislation to authorize pharmacists to administer injectable drugs and biological products in retail settings; the petition (accompanied by bill, (House, No. 1958) of Denise C. Garlick and others relative to the maximum number of patients assigned to registered nurses or hospital care attendants; the petition (accompanied by bill, House, No. 1989) of Louis L. Kafka and others relative to public health dental hygienists; the petition (accompanied by bill, (House, No. 2009) of Elizabeth A. Malia, Angelo M. Scaccia and Ruth B. Balser relative to providing access to patient protection services for all residents; the petition (accompanied by bill, (House, No. 2025) of David M. Nangle that the Center for Health Information and Analysis be directed to study potential cost savings for certain physical therapy treatments; the petition (accompanied by bill, House, No. 2771) of Kay Khan and others relative to authorizing the Governor to appoint a registered nurse to the Health Policy Commission; the petition (accompanied by bill, (House, No. 3424) of John W. Scibak and others relative to equitable dental reimbursement rates for services provided to publicly aided patients; the petition (accompanied by bill, (House, No. 3425) of John W. Scibak and others relative to continuity of health care; reports recommending that the accompanying order (House, No. 4635) ought to be adopted.

For the committee,

JEFFREY SÁNCHEZ.

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September 26, 2016.



1 *Ordered*, That the committee on Health Care Financing be authorized to sit during a
2 recess of the General Court to make an investigation and study of Senate document numbered
3 2211 and House documents numbered 67, 74, 126, 135, 176, 429, 697, 963, 964, 965, 967, 968,
4 969, 970, 971, 972, 973, 974, 975, 977, 978, 979, 980, 981, 982, 983, 984, 986, 987, 990, 991,
5 992, 994, 996, 1001, 1002, 1003, 1004, 1006, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016,
6 1017, 1019, 1020, 1021, 1022, 1023, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034,
7 1035, 1295, 1784, 1786, 1787, 1788, 1789, 1793, 1795, 1798, 1802, 1804, 1805, 1806, 1807,
8 1808, 1809, 1810, 1811, 1812, 1814, 1815, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1910,
9 1915, 1918, 1934, 1958, 1989, 1993, 1997, 2000, 2007, 2009, 2025, 2053, 2062, 2771, 3167,
10 3207, 3424, 3425, 3461, 3754, 3847, 3987, 3989, 3994, 3996, 4048 and 4067, relative to public
11 health.

12 Said committee shall report to the General Court the results of its investigation and study
13 and its recommendations, if any, together with drafts of legislation necessary to carry such
14 recommendations into effect, by filing the same with the Clerk of the House of Representatives
15 on or before December 31, 2016.