HOUSE DOCKET, NO. 3372 FILED ON: 1/16/2015

HOUSE . . . . . No. 777

The Commonwealth of Massachusetts

PRESENTED BY:

James Arciero

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 to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury or bodily dysfunction which are required by a student's individual educational program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James Arciero	*2nd Middlesex*
Everett V. Olsen	*Superintendent Westford Public Schools 23 Depot Street Westford, MA 01886*
Stephen L. DiNatale	*3rd Worcester*
Denise Provost	*27th Middlesex*
Elizabeth A. Poirier	*14th Bristol*
Sal N. DiDomenico	*Middlesex and Suffolk*
Todd M. Smola	*1st Hampden*

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HOUSE . . . . . No. 777

By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 777) of James Arciero and others for legislation to provide health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury or bodily dysfunction which are required by a student's individual educational program. Financial Services.

The Commonwealth of Massachusetts

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

An Act to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury or bodily dysfunction which are required by a student's individual educational program.

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 32A of the General Laws is hereby amended by adding the following section:-

Section 26. The commission shall provide to an active or retired employee of the commonwealth who is insured under the group insurance commission benefits on a nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual education program, individualized family service plan, individualized service plan or the federal Individuals with Disabilities Education Improvement Act.

10 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after
11 section 47AA the following section:-

12 Section 47BB. An individual policy of accident and sickness insurance issued under
13 section 108 that provides hospital expense and surgical expense insurance and any group blanket
14 or general policy of accident and sickness insurance issued under section 110 that provides
15 hospital expense and surgical expense insurance, which is issued or renewed within or without
16 the commonwealth, shall provide benefits on a nondiscriminatory basis for the medically
17 necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness,
18 injury, or bodily dysfunction which are required by a student's individual education program,
19 Individualized family service plan, individualized service plan or the federal Individuals with
20 Disabilities Education Improvement Act.

21 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after
22 section 8DD the following section:-

23 Section 8EE. A contract between a subscriber and the corporation under an individual or
24 group hospital service plan which is issued or renewed within or without the commonwealth
25 shall provide benefits on a nondiscriminatory basis for the medically necessary treatment for
26 speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily
27 dysfunction which are required by a student's individual education program, individualized
28 family service plan, individualized service plan or the federal Individuals with Disabilities
29 Education Improvement Act.

30 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after
31 section 4DD the following section:-

32 Section 4EE. A subscription certificate under an individual or group medical service
33 agreement which is issued or renewed within or without the commonwealth shall provide
34 benefits on a nondiscriminatory basis for the medically necessary treatment for speech therapy,
35 occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are
36 required by a students individual education program, individualized family service plan,
37 individualized service plan or the federal Individuals with Disabilities Education Improvement
38 Act.

39

40 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after
41 section 4V the following section:-

42 Section 4W. A health maintenance contract issued or renewed within or without the
43 commonwealth shall provide benefits on a nondiscriminatory basis for the medically necessary
44 treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or
45 bodily dysfunction which are required by a student's individual education program,
46 individualized family service plan, individualized service plan or the federal Individuals with
47 Disabilities Education Improvement Act.

48 SECTION 6. All policies, contracts and certificates of health insurance subject to section
49 26 of chapter 32A, section 47BB of chapter 175, section 8EE of chapter 176A, section 4EE of
50 chapter 176B, and section 4W of chapter 176G of the General Laws which are delivered, issued
51 or renewed on or after January 1, 2011 shall conform with the provisions of this act. Form filings
52 implementing this act shall be subject to the approval of the commissioner of insurance.

53 SECTION 8. This act shall take effect on January 1, 2016.