

**HOUSE . . . . . No. 789**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Ruth B. Balsler and Jason M. Lewis***

*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 increase access to children’s mental health services in the community.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>

<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Linda Dorcena Forry</i>	<i>First Suffolk</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>

**HOUSE . . . . . No. 789**

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By Representative Balsler of Newton and Senator Lewis, a joint petition (accompanied by bill, House, No. 789) of Ruth B. Balsler, Jason M. Lewis and others for legislation to require coverage for community and home-based behavioral health care services for certain children and adolescents with mental health disorders. Financial Services.

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**The Commonwealth of Massachusetts**

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

An Act to increase access to children’s mental health services in the community.

*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 the  
2 following section:-

3 Section 22A. The commission shall provide to any active or retired employee of the  
4 commonwealth who is insured under the group insurance commission coverage for community-  
5 and home-based services for children under the age of 21 diagnosed with a serious emotional  
6 disturbance. Such services shall be comparable in scope to the array of services developed in  
7 response to the Court’s judgment and remediation plan in the Rosie D. matter.

8 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting the  
9 following section:-

10 Section 47EE. (a) An individual policy of accident and sickness insurance issued  
11 pursuant to section 108, which provides hospital expense and surgical expense insurance, and a

12 group blanket or general policy of accident and sickness insurance issued pursuant to section  
13 110, which provides hospital expense and surgical expense insurance, which is issued or  
14 renewed within or without the commonwealth, shall provide coverage for community- and  
15 home-based services for children under the age of 21 diagnosed with a serious emotional  
16 disturbance. Such services shall be comparable in scope to the array of services developed in  
17 response to the Court's judgment and remediation plan in the Rosie D. matter.

18 (b) The coverage of community- and home-based services required under this section  
19 shall apply to small group health benefit plans subject to chapter 176J and nongroup health  
20 benefit plans subject to chapter 176M.

21 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting the  
22 following section:-

23 Section 8GG. 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 to residents of the commonwealth and to all individual subscribers and members  
26 and group members having a principal place of employment in the commonwealth coverage for  
27 community- and home-based services for children under the age of 21 diagnosed with a serious  
28 emotional disturbance. Such services shall be comparable in scope to the array of services  
29 developed in response to the Court's judgment and remediation plan in the Rosie D. matter.

30 SECTION 5. Chapter 176B of the General Laws is hereby amended inserting by the  
31 following section:-

32 Section 4GG. A subscription certificate under an individual or group medical service  
33 agreement which is issued or renewed within or without the commonwealth shall to residents of

34 the commonwealth and to all individual subscribers and members within the commonwealth and  
35 to all group members having a principal place of employment in the commonwealth coverage for  
36 community- and home-based services for children under the age of 21 diagnosed with a serious  
37 emotional disturbance. Such services shall be comparable in scope to the array of services  
38 developed in response to the Court’s judgment and remediation plan in the Rosie D. matter.

39 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting the  
40 following section:—

41 Section 4Y. A health maintenance contract issued or renewed within or without the  
42 commonwealth shall provide to residents of the commonwealth and to all members or enrollees  
43 having a principal place of employment in the commonwealth coverage for community- and  
44 home-based services for children under the age of 21 diagnosed with a serious emotional  
45 disturbance. Such services shall be comparable in scope to the array of services developed in  
46 response to the Court’s judgment and remediation plan in the Rosie D. matter.

47 SECTION 7. All policies, contracts and certificates of health insurance subject to section  
48 22A of chapter 32A, section 47EE of chapter 175, section 8GG of chapter 176A, section 4GG of  
49 chapter 176B, or section 4Y of chapter 176G of the General Laws that are delivered, issued or  
50 renewed on or after July 1, 2016 shall conform with this act. Form filings implementing this act  
51 shall be subject to the approval of the commissioner of insurance.

52 SECTION 8. The commissioner of insurance shall promulgate regulations necessary to  
53 implement this chapter.

54 SECTION 9. This act shall take effect on July 1, 2016.