

SENATE No. 1044

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

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 further define medical necessity determinations.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Thomas P. Kennedy

Second Plymouth and Bristol

Angelo M. Scaccia

14th Suffolk

SENATE No. 1044

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 1044) of Thomas P. Kennedy and Angelo M. Scaccia for legislation to further define medical necessity determinations. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

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

An Act to further define medical necessity determinations.

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: Section 8a of Chapter 118E is amended by inserting the following new
2 sentence at the end of the definition “Medically Necessary Services” the following new sentence:
3 “Medical necessary services for mental health treatment shall be determined by the treating
4 clinician in consultation with the patient and noted in the patient’s medical record”.

5 SECTION 2: Section 16 (b) of Chapter 176O is amended by inserting the following new
6 sentence at the end after the word “restriction” the following new sentence. “Medical necessity
7 for mental health services shall be determined by the treating clinician in consultation with the
8 patient and noted in the patient’s medical record.”