

**SENATE . . . . . No. 2137**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court**  
**(2015-2016)**  
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SENATE, Thursday, February 18, 2016

The committee on Ways and Means, to whom was referred the Senate Bill relative to HIV-Associated lipodystrophy treatment (Senate, No. 618),-- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2137).

For the committee,  
Karen E. Spilka

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## The Commonwealth of Massachusetts

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

An Act relative to HIV-Associated lipodystrophy treatment.

*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 after  
2 section 17N, as appearing in the 2014 Official Edition, the following section:-

3 Section 17O. Any coverage offered by the commission to an active or retired employee  
4 of the commonwealth insured under the group insurance commission shall provide coverage for  
5 medical or drug treatments to correct or repair disturbances of body composition caused by HIV  
6 associated lipodystrophy syndrome including, but not limited to, reconstructive surgery, such as  
7 suction assisted lipectomy, other restorative procedures and dermal injections or fillers for  
8 reversal of facial lipoatrophy syndrome. Coverage shall be subject to a statement from a treating  
9 provider that the treatment is necessary for correcting, repairing or ameliorating the effects of  
10 HIV associated lipodystrophy syndrome. The benefits in this section shall not be subject to any  
11 greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit  
12 provided by the commission.

13 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after  
14 section 10I, inserted by section 105 of chapter 46 of the acts of 2015, the following section:-

15           Section 10J. The division shall provide coverage for medical or drug treatments to correct  
16 or repair disturbances of body composition caused by HIV associated lipodystrophy syndrome  
17 including, but not limited to, reconstructive surgery, such as suction assisted lipectomy, other  
18 restorative procedures and dermal injections or fillers for reversal of facial lipoatrophy  
19 syndrome. Coverage shall be subject to a statement from a treating provider that the treatment is  
20 necessary for correcting, repairing or ameliorating the effects of HIV associated lipodystrophy  
21 syndrome. The benefits in this section shall not be subject to any greater deductible, coinsurance,  
22 copayments or out-of-pocket limits than any other benefit provided by the division.

23           SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after  
24 section 47GG, as appearing in the 2014 Official Edition, the following section:-

25           Section 47HH. The following shall provide coverage for medical or drug treatments to  
26 correct or repair disturbances of body composition caused by HIV associated lipodystrophy  
27 syndrome including, but not limited to, reconstructive surgery, such as suction assisted  
28 lipectomy, other restorative procedures and dermal injections or fillers for reversal of facial  
29 lipoatrophy syndrome: (i) any policy of accident and sickness insurance, as described in section  
30 108, which provides hospital expense and surgical expense insurance and which is delivered,  
31 issued or subsequently renewed by agreement between the insurer and policyholder in the  
32 commonwealth; (ii) any blanket or general policy of insurance described in subdivision (A), (C)  
33 or (D) of section 110 which provides hospital expense and surgical expense insurance and which  
34 is delivered, issued or subsequently renewed by agreement between the insurer and the  
35 policyholder in or outside of the commonwealth; or (iii) any employees' health and welfare fund  
36 which provides hospital expense and surgical expense benefits and which is delivered, issued or  
37 renewed to any person or group of persons in the commonwealth. Coverage shall be subject to a

38 statement from a treating provider that the treatment is necessary for correcting, repairing or  
39 ameliorating the effects of HIV associated lipodystrophy syndrome. The benefits in this section  
40 shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits  
41 than any other benefit provided by the insurer.

42 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after  
43 section 8II, as so appearing, the following section:-

44 Section 8JJ. Any contract between a subscriber and the corporation under an individual or  
45 group hospital service plan which is delivered, issued or renewed within the commonwealth shall  
46 provide coverage for medical or drug treatments to correct or repair disturbances of body  
47 composition caused by HIV associated lipodystrophy syndrome including, but not limited to,  
48 reconstructive surgery, such as suction assisted lipectomy, other restorative procedures and  
49 dermal injections or fillers for reversal of facial lipoatrophy syndrome. Coverage shall be subject  
50 to a statement from a treating provider that the treatment is necessary for correcting, repairing or  
51 ameliorating the effects of HIV associated lipodystrophy syndrome. The benefits in this section  
52 shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits  
53 than any other benefit provided by the insurer.

54 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after  
55 section 4II, as so appearing, the following section:-

56 Section 4JJ. Any subscription certificate under an individual or group medical service  
57 agreement delivered, issued or renewed within the commonwealth shall provide coverage for  
58 medical or drug treatments to correct or repair disturbances of body composition caused by HIV  
59 associated lipodystrophy syndrome including, but not limited to, reconstructive surgery, such as

60 suction assisted lipectomy, other restorative procedures and dermal injections or fillers for  
61 reversal of facial lipoatrophy syndrome. Coverage shall be subject to a statement from a treating  
62 provider that the treatment is necessary for correcting, repairing or ameliorating the effects of  
63 HIV associated lipodystrophy syndrome. The benefits in this section shall not be subject to any  
64 greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit  
65 provided by the insurer.

66 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after  
67 section 4AA, as so appearing, the following section:-

68 Section 4BB. Any individual or group health maintenance contract shall provide  
69 coverage for medical or drug treatments to correct or repair disturbances of body composition  
70 caused by HIV associated lipodystrophy syndrome including, but not limited to, reconstructive  
71 surgery, such as suction assisted lipectomy, other restorative procedures and dermal injections or  
72 fillers for reversal of facial lipoatrophy syndrome. Coverage shall be subject to a statement from  
73 a treating provider that the treatment is necessary for correcting, repairing or ameliorating the  
74 effects of HIV associated lipodystrophy syndrome. The benefits in this section shall not be  
75 subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other  
76 benefit provided by the insurer..