

SENATE No. 2231

The Commonwealth of Massachusetts

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

SENATE, Thursday, April 21, 2016

The committee on Financial Services to whom was referred the petition (accompanied by bill, Senate, No. 502) of Anne M. Gobi, Harriette L. Chandler, Marc R. Pacheco, Brian A. Joyce and other members of the General Court for legislation relative to Lyme Disease treatment coverage,- reports the accompanying bill (Senate, No. 2231).

For the committee,
James B. Eldridge

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

An Act relative to Lyme Disease treatment coverage.

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. (a) For the purposes of this Section, the terms “Lyme disease” and “long-
4 term antibiotic therapy” shall be defined as provided in M.G.L. Chapter 112, Section 12DD.

5 (b) Any coverage offered by the commission to an active or retired employee of the
6 commonwealth shall provide coverage for treatment of long-term antibiotic therapy of Lyme
7 disease when determined to be medically necessary and ordered by a licensed physician after
8 making a thorough evaluation of the patient’s symptoms, diagnostic test results or response to
9 treatment. Treatment otherwise eligible for benefits pursuant to this section shall not be denied
10 solely because such treatment may be characterized as unproven, experimental, or investigational
11 in nature.

12 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after
13 section 47GG, as so appearing, the following section:-

14 Section 47HH. (a) For the purposes of this Section, the terms “Lyme disease” and “long-
15 term antibiotic therapy” shall be defined as provided in M.G.L. Chapter 112, Section 12DD.

16 (b) An individual policy of accident and sickness insurance issued under section 108 that
17 provides hospital expense and surgical expense insurance and any group blanket or general
18 policy of accident and sickness insurance issued under section 110 that provides hospital expense
19 and surgical expense insurance, which is issued or renewed within or without the
20 commonwealth, shall provide benefits on a nondiscriminatory basis to residents of the
21 commonwealth and to all policyholders having a principal place of employment in the
22 commonwealth for the long-term antibiotic therapy of Lyme disease when determined to be
23 medically necessary and ordered by a licensed physician after making a thorough evaluation of
24 the patient’s symptoms, diagnostic test results, or response to treatment. Long-term antibiotic
25 therapy otherwise eligible for benefits pursuant to this section shall not be denied solely because
26 such treatment may be characterized as unproven, experimental, or investigational in nature.

27 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after
28 section 8II, as so appearing, the following section:-

29 Section 8JJ. (a) For the purposes of this Section, the terms “Lyme disease” and “long-
30 term antibiotic therapy” shall be defined as provided in M.G.L. Chapter 112, Section 12DD.

31 (b) Any contract between a subscriber and the corporation under an individual or group
32 hospital service plan which is delivered, issued or renewed within the commonwealth shall
33 provide coverage for long-term antibiotic therapy of Lyme disease when determined to be
34 medically necessary and ordered by a licensed physician after making a thorough evaluation of
35 the patient’s symptoms, diagnostic test results or response to treatment. Treatment otherwise

36 eligible for benefits pursuant to this section shall not be denied solely because such treatment
37 may be characterized as unproven, experimental, or investigational in nature.

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

40 Section 4JJ. (a) For the purposes of this Section, the terms “Lyme disease” and “long-
41 term antibiotic therapy” shall be defined as provided in M.G.L. Chapter 112, Section 12DD.

42 (b) Any subscription certificate under an individual or group medical service agreement
43 delivered, issued, or renewed within the commonwealth shall provide coverage for long-term
44 antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a
45 licensed physician after making a thorough evaluation of the patient’s symptoms, diagnostic test
46 results or response to treatment. Treatment otherwise eligible for benefits pursuant to this section
47 shall not be denied solely because such treatment may be characterized as unproven,
48 experimental, or investigational in nature.

49 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after
50 section 4AA, as so appearing, the following section:-

51 Section 4BB. (a) For the purposes of this Section, the terms “Lyme disease” and “long-
52 term antibiotic therapy” shall be defined as provided in M.G.L. Chapter 112, Section 12DD.

53 (b) Any individual or group health maintenance contract shall provide coverage for long-
54 term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered
55 by a licensed physician after making a thorough evaluation of the patient’s symptoms, diagnostic
56 test results or response to treatment. Treatment otherwise eligible for benefits pursuant to this

57 section shall not be denied solely because such treatment may be characterized as unproven,
58 experimental, or investigational in nature.

59 SECTION 6. This act shall take effect upon its passage and shall expire on November 1,
60 2021.