

**HOUSE . . . . . No. 1070**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kay Khan*

*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:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/19/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/3/2017</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>2/2/2017</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/2/2017</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/31/2017</i>

**HOUSE . . . . . No. 1070**

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1070) of Kay Khan and others relative to the determination of medically necessary services for mental health treatment. Mental Health, Substance Use and Recovery.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1795 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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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, as appearing in the 2012 Official Edition, is  
2 hereby amended by inserting at the end of the definition “Medically necessary services” the  
3 following sentence:-

4 “Medically necessary services for mental health treatment shall be determined by the  
5 treating clinician in consultation with the patient and noted in the patient’s medical record.”

6 SECTION 2. Section 16 (b) of Chapter 176O, as appearing in the 2012 Official Edition,  
7 is hereby amended by inserting after the word “restriction.”, in line 33, the following sentence:-

8 “Medical necessity for mental health services shall be determined by the treating clinician  
9 in consultation with the patient and noted in the patient’s medical record.”