

HOUSE No. 2203

The Commonwealth of Massachusetts

PRESENTED BY:

Frank I. Smizik

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 require health care coverage for the medically necessary treatment for disease, illness, injury, or bodily dysfunction required by a student's individual educational program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>1/20/2017</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	

HOUSE No. 2203

By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 2203) of Frank I. Smizik and others for legislation to require health care coverage for the medically necessary treatment for disease, illness, injury or bodily dysfunction required by a student’s individual educational program. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2064 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 require health care coverage for the medically necessary treatment for disease, illness, injury, or bodily dysfunction required by a student's individual educational program.

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 adding the
2 following section:-

3 Section 27. The commission shall provide to an active or retired employee of the
4 commonwealth who is insured under the group insurance commission benefits on a
5 nondiscriminatory basis for the medically necessary treatment for disease, illness, injury, or
6 bodily dysfunction which are required by a student’s individual education program,
7 individualized family service plan, individualized service plan or the federal Individuals with
8 Disabilities Education Improvement Act.

9 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after
10 section 47DD the following section:-

11 Section 47EE. An individual policy of accident and sickness insurance issued under
12 section 108 that provides hospital expense and surgical expense insurance and any group blanket
13 or general policy of accident and sickness insurance issued under section 110 that provides
14 hospital expense and surgical expense insurance, which is issued or renewed within or without
15 the commonwealth, shall provide benefits on a nondiscriminatory basis for the medically
16 necessary treatment for disease, illness, injury, or bodily dysfunction which are required by a
17 student's individual education program, individualized family service plan, individualized
18 service plan or the federal Individuals with Disabilities Education Improvement Act.

19 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after
20 section 8FF the following section:-

21 Section 8GG. A contract between a subscriber and the corporation under an individual or
22 group hospital service plan which is issued or renewed within or without the commonwealth
23 shall provide benefits on a nondiscriminatory basis for the medically necessary treatment for
24 disease, illness, injury, or bodily dysfunction which are required by a student's individual
25 education program, individualized family service plan, individualized service plan or the federal
26 Individuals with Disabilities Education Improvement Act.

27 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after
28 section 4FF the following section:-

29 Section 4GG. A subscription certificate under an individual or group medical service
30 agreement which is issued or renewed within or without the commonwealth shall provide

31 benefits on a nondiscriminatory basis for the medically necessary treatment for disease, illness,
32 injury, or bodily dysfunction which are required by a student's individual education program,
33 individualized family service plan, individualized service plan or the federal Individuals with
34 Disabilities Education Improvement Act.

35 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after
36 section 4X the following section:-

37 Section 4Y. A health maintenance contract issued or renewed within or without the
38 commonwealth shall provide benefits on a nondiscriminatory basis for the medically necessary
39 treatment for disease, illness, injury, or bodily dysfunction which are required by a student's
40 individual education program, individualized family service plan, individualized service plan or
41 the federal Individuals with Disabilities Education Improvement Act.

42 SECTION 6. All policies, contracts and certificates of health insurance subject to section
43 27 of chapter 32A, section 47EE of chapter 175, section 8GG of chapter 176A, section 4GG of
44 chapter 176B, and section 4Y of chapter 176G of the General Laws which are delivered, issued
45 or renewed on or after January 1, 2017 shall conform with the provisions of this act. Form filings
46 implementing this act shall be subject to the approval of the commissioner of insurance.

47 SECTION 8. This act shall take effect on January 1, 2018.