

HOUSE No. 551

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 relative to anesthesia coverage for children hospitalized for dental treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/17/2017</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/3/2017</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>2/2/2017</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>2/2/2017</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/3/2017</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>1/31/2017</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/1/2017</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/3/2017</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/3/2017</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/31/2017</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>2/2/2017</i>

HOUSE No. 551

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 551) of Kay Khan and others relative to anesthesia coverage for children hospitalized for dental treatment. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to anesthesia coverage for children hospitalized for dental 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 175 of the General Laws, as so appearing in the 2014 Official
2 Edition, is hereby amended by inserting after section 47II the following new section:-

3 Section 47JJ. Any individual policy of accident and sickness insurance issued pursuant to
4 section 108 which provides hospital expense and surgical expense insurance, except policies
5 providing supplemental coverage to Medicare or other governmental programs, and any group
6 blanket policy of accident and sickness insurance issued pursuant to section 110 which provides
7 hospital expense and surgical expense insurance, except policies providing supplemental
8 coverage to Medicare or other governmental programs, delivered, issued or reviewed by
9 agreement between the insurer and the policyholder, within or without the commonwealth, shall
10 provide coverage for anesthesia and out-patient facility (hospital and ambulatory surgical center)
11 charges for dental care provided to a person who is a child under the age of six; or is severely
12 disabled, or has a medical condition and who requires hospitalization for dental care procedures

13 in the same manner that prior authorization is required for hospitalization for other covered
14 diseases or conditions. Said policy shall provide coverage for general anesthesia rendered by a
15 qualified anesthesia provider or anesthesiologist and hospital costs for a medical condition
16 covered by the policy, regardless of whether the services are provided in an ambulatory surgical
17 center (ASC) or hospital.

18 SECTION 2. Chapter 176A of the General Laws, as appearing in the 2014 Official
19 Edition, is hereby amended by inserting after section 8KK the following new section:-

20 Section 8LL. Any contract between a subscriber and the corporation under an individual
21 or group hospital service plan or certificate of health insurance which provides hospital expense
22 and surgical expense insurance, except contracts providing supplemental coverage to Medicare
23 or other governmental programs, delivered, issued or renewed by agreement between the insurer
24 and the policy holder, within or without the commonwealth, shall provide benefits for residents
25 of the commonwealth and to all individuals and group members having a principal place of
26 employment within the commonwealth for anesthesia and hospital charges for dental care
27 provided to a person who is a child under the age of six; or is severely disabled, or has a medical
28 condition and who requires hospitalization or general anesthesia for dental care treatment. A
29 carrier may require prior authorization of out-patient facility or hospitalization for dental care
30 procedures in the same manner that prior authorization is required for hospitalization for other
31 covered diseases or conditions. Said policy shall provide coverage for general anesthesia
32 rendered by a qualified anesthesia provider or anesthesiologist and hospital costs for
33 aforementioned medical conditions covered by the policy, regardless of whether the services are
34 provided in an ASC or hospital.

35 SECTION 3. Chapter 176B of the General Laws, as appearing in the 2014 Official
36 Edition, is hereby amended by inserting a section 4KK the following new section:-

37 Section 4LL. Any subscription certificate under an individual group medical service
38 agreement which provides hospital expense and surgical expense insurance, except certificates
39 which provides supplemental coverage to Medicare or to other governmental programs,
40 delivered, issued or renewed by agreement between insurer and the policyholder, within or
41 without the commonwealth, shall provide benefits for all individual and group members having a
42 principal place of employment within the commonwealth for anesthesia and ASC/hospital
43 charges for dental care provided to a person who is a child under the age of six; or is severely
44 disabled, or has a medical condition and who requires hospitalization or general anesthesia for
45 dental care treatment carrier may require prior authorization of hospitalization for dental care
46 procedure in the same manner that prior authorization is required for hospitalization for other
47 covered diseases or conditions. Said policy shall provide coverage for general anesthesia
48 rendered by a qualified anesthesia provider or anesthesiologist and hospital costs for a medical
49 condition covered by the policy, regardless of whether the services are provided in an ASC or
50 hospital.

51 SECTION 4. Chapter 176G of the General Laws, as appearing in the 2014 Official
52 Edition, is hereby amended by inserting after section 4CC the following new section :-

53 Section 4DD. Any individual or group health maintenance contracts, except contracts
54 providing supplemental coverage to Medicare or other governmental programs, delivered, issues
55 or renewed by agreement between the insurer and the policyholder, within or without the
56 commonwealth, shall provide benefits for all individual and group members having a principal

57 place of employment within the commonwealth for anesthesia and ASC/hospital charges
58 provided to a person who is a child under the age of six; or is severely disabled, or has a medical
59 condition and who requires hospitalization or general anesthesia for dental care treatment. A
60 carrier may require prior authorization of hospitalization for dental care procedures in the same
61 manner that prior authorization is required for hospitalization for other covered diseases or
62 conditions. Said policy shall provide coverage for general anesthesia rendered by a qualified
63 anesthesia provider or anesthesiologist and hospital costs for aforementioned medical conditions
64 covered by the policy, regardless of whether the services are provided in an ASC or hospital.
65 Nothing in this section shall prohibit any health maintenance organization from requiring
66 members seeking ASC care/hospitalization and anesthesia for dental care procedures to use a
67 network provider.