

**SENATE . . . . . No. 2282**

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The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court**  
**(2017-2018)**  
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SENATE, Monday, February 5, 2018

The committee on Mental Health, Substance Use and Recovery to whom was referred the petition (accompanied by bill, Senate, No. 1086) of Kenneth J. Donnelly for legislation to require health care coverage for the emergency psychiatric services,- reports the accompanying bill (Senate, No. 2282).

For the committee,  
Cindy F. Friedman

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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 emergency psychiatric services.

*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, as appearing in the 2016 Official  
2 Edition, is hereby amended by adding the following section:-

3           Section 28. 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 medically necessary emergency service programs, as defined in  
6 section 1 of chapter 175.

7           SECTION 2. Section 1 of chapter 175, as appearing in the 2016 Official Edition, is  
8 hereby amended by inserting after the definition of “Domestic company”, in lines 14 and 15, the  
9 following words:-

10           “Emergency services programs”, all programs subject to contract between the mass  
11 behavioral health partnership and nonprofit organizations for the provision of said emergency  
12 services.

13 SECTION 3. Said chapter 175 is hereby further amended by inserting after section 47BB  
14 the following section:-

15 Section 47CC. An individual policy of accident and sickness insurance issued under  
16 section 108 that provides hospital expense and surgical expense insurance and any group blanket  
17 or general policy of accident and sickness insurance issued under section 110 that provides  
18 hospital expense and surgical expense insurance, which is issued or renewed within or without  
19 the commonwealth, shall provide benefits on a nondiscriminatory basis for medically necessary  
20 emergency service programs, as defined in section 1 of chapter 175.

21 SECTION 4. Chapter 176A of the General Laws, as appearing in the 2016 Official  
22 Edition, is hereby amended by inserting after section 8KK the following section:-

23 Section 8LL. A contract between a subscriber and the corporation under an individual or  
24 group hospital service plan which is issued or renewed within or without the commonwealth  
25 shall provide benefits on a nondiscriminatory basis for medically necessary emergency service  
26 programs, as defined in section 1 of chapter 175.

27 SECTION 5. Chapter 176B of the General Laws, as appearing in the 2016 Official  
28 Edition, is hereby amended by inserting after section 4KK the following section:-

29 Section 4LL. 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 medically necessary emergency service programs, as  
32 defined in section 1 of chapter 175.

33           SECTION 6. Chapter 176G of the General Laws, as appearing in the 2016 Official  
34 Edition, is hereby amended by inserting after section 4CC the following section:-

35           Section 4DD. A health maintenance contract issued or renewed within or without the  
36 commonwealth shall provide benefits on a nondiscriminatory basis for medically necessary  
37 emergency service programs, as defined in section 1 of chapter 175.

38           SECTION 7. Form filings implementing this act shall be subject to the approval of the  
39 commissioner of insurance.

40           SECTION 8. This act shall take effect on January 1, 2019.