

**SENATE . . . . . No. 517**

The Commonwealth of Massachusetts

PRESENTED BY:

***Kenneth J. Donnelly***

*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 transparency for mental health parity.

PETITION OF:

| NAME:                       | DISTRICT/ADDRESS:                    |                  |
|-----------------------------|--------------------------------------|------------------|
| <i>Kenneth J. Donnelly</i>  | <i>Fourth Middlesex</i>              |                  |
| <i>John F. Keenan</i>       | <i>Norfolk and Plymouth</i>          |                  |
| <i>Kenneth I. Gordon</i>    | <i>21st Middlesex</i>                | <i>1/27/2017</i> |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i>    | <i>1/27/2017</i> |
| <i>Marjorie C. Decker</i>   | <i>25th Middlesex</i>                | <i>1/30/2017</i> |
| <i>James J. Dwyer</i>       | <i>30th Middlesex</i>                | <i>1/31/2017</i> |
| <i>Ruth B. Balsler</i>      | <i>12th Middlesex</i>                | <i>2/1/2017</i>  |
| <i>Walter F. Timilty</i>    | <i>Norfolk, Bristol and Plymouth</i> | <i>2/2/2017</i>  |
| <i>Michael S. Day</i>       | <i>31st Middlesex</i>                | <i>2/2/2017</i>  |
| <i>Elizabeth A. Malia</i>   | <i>11th Suffolk</i>                  | <i>2/2/2017</i>  |
| <i>Paul R. Heroux</i>       | <i>2nd Bristol</i>                   | <i>2/3/2017</i>  |
| <i>Sal N. DiDomenico</i>    | <i>Middlesex and Suffolk</i>         | <i>2/3/2017</i>  |
| <i>James B. Eldridge</i>    | <i>Middlesex and Worcester</i>       | <i>2/3/2017</i>  |
| <i>Chris Walsh</i>          | <i>6th Middlesex</i>                 | <i>2/3/2017</i>  |
| <i>Bruce E. Tarr</i>        | <i>First Essex and Middlesex</i>     | <i>3/23/2017</i> |

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 517) of Kenneth J. Donnelly, John F. Keenan, Kenneth I. Gordon, Barbara A. L'Italien and other members of the General Court for legislation relative to transparency for mental health parity. Financial Services.

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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 relative to transparency for mental health parity.

*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 13 of chapter 176O of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by inserting after subsection (d) the following subsection:-

3 (e) for any grievance involving a denial of coverage for mental health services, including  
4 behavioral health and substance abuse disorder services, the carrier shall, in addition to all other  
5 notices required under this chapter, provide to the insured and to the insured’s authorized  
6 representative, if any, a statement certifying and specifically describing the following:

7 (i) That the denial of coverage by carrier, or the carrier’s utilization review organization  
8 or other subcontracted entity, is in compliance with applicable state parity requirements for  
9 providing coverage on a nondiscriminatory basis as defined in chapter 80 of the acts of 2000;

10 (ii) The quantitative and non-quantitative treatment limitations applied during review,  
11 and how said limitation criteria comply with state and federal parity regulations, including those

12 codified at 42 U.S. Code § 300gg-26, and regulations implemented pursuant to section 8K of  
13 chapter 26 of the general laws; and

14 (iii) A certification that the carrier's claim processing and utilization review methods  
15 complied with the above parity requirements.