

**SENATE . . . . . No. 518**

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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 to require health care coverage for medically necessary treatment for certain students.

PETITION OF:

NAME:

*Kenneth J. Donnelly*

DISTRICT/ADDRESS:

*Fourth Middlesex*

**SENATE . . . . . No. 518**

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 518) of Kenneth J. Donnelly for legislation to require health care coverage for medically necessary treatment for certain students. Financial Services.

**The Commonwealth of Massachusetts**

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

An Act to require health care coverage for medically necessary treatment for certain students.

*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 so appearing in the 2014 Official  
2 Edition, is hereby amended by inserting after section 27 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 the medically necessary treatment for speech therapy, occupational  
6 therapy, physical therapy, disease, illness, injury, or bodily dysfunction, which are required by a  
7 student’s individual education program, individualized family service plan, individualized  
8 service plan or the federal Individuals with Disabilities Education Improvement Act.

9 SECTION 2. Chapter 175 of the General Laws, as appearing in the 2014 Official Edition,  
10 is hereby amended by inserting after section 47GG the following section:-

11 Section 47HH. 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 speech therapy, occupational therapy, physical therapy, disease, illness,  
17 injury, or bodily dysfunction, which are required by a student's individual education program,  
18 individualized family service plan, individualized service plan or the federal Individuals with  
19 Disabilities Education Improvement Act.

20 SECTION 3. Chapter 176A of the General Laws, as appearing in the 2014 Official  
21 Edition, is hereby amended by inserting after section 8II the following section:-

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

29 SECTION 4. Chapter 176B of the General Laws, as appearing in the 2014 Official  
30 Edition, is hereby amended by inserting after section 4II the following section:-

31 Section 4JJ. A subscription certificate under an individual or group medical service  
32 agreement, which is issued or renewed within or without the commonwealth, shall provide  
33 benefits on a nondiscriminatory basis for the medically necessary treatment for speech therapy,  
34 occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are

35 required by a students individual education program, individualized family service plan,  
36 individualized service plan or the federal Individuals with Disabilities Education Improvement  
37 Act.

38 SECTION 5. Chapter 176G of the General Laws, as appearing in the 2014 Official  
39 Edition, is hereby amended by inserting after section 4C the following section:-

40 Section 4C 1/2. A health maintenance contract, issued or renewed within or without the  
41 commonwealth, shall provide benefits on a nondiscriminatory basis for the medically necessary  
42 treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or  
43 bodily dysfunction, which are required by a student's individual education program,  
44 individualized family service plan, individualized service plan or the federal Individuals with  
45 Disabilities Education Improvement Act.

46 SECTION 6. All policies, contracts and certificates of health insurance subject to section  
47 28 of chapter 32A, section 47HH of chapter 175, section 8JJ of chapter 176A, section 4JJ of  
48 chapter 176B, and section 4C 1/2 of chapter 176G of the General Laws, which are delivered,  
49 issued or renewed on or after January 1, 2011, shall conform with the provisions of this act.  
50 Form filings implementing this act shall be subject to the approval of the commissioner of  
51 insurance.

52 SECTION 7. This act shall take effect on January 1, 2018.