

**SENATE . . . . . No. 543**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Eric P. Lesser*

*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 provide equal access to medication assisted treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/30/2017</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2017</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/3/2017</i>

**SENATE . . . . . No. 543**

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By Mr. Lesser, a petition (accompanied by bill, Senate, No. 543) of Eric P. Lesser, Michael D. Brady, Brian M. Ashe, James B. Eldridge and others for legislation to provide equal access to medication assisted treatment. 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 to provide equal access to medication assisted 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 32A of the General Laws, as amended by chapter 233 of the acts of  
2 2016, is hereby amended by inserting after section 17O the following section:-

3           Section 17P. For the purposes of this section the following terms shall have the  
4 following meanings:-

5           “Methadone treatment program”, an opioid treatment program as defined in 105 CMR  
6 164.006, a SAMHSA-certified program, licensed by the department of public health, usually  
7 comprised of a facility, staff, administration, patients, and services, that engages in supervised  
8 assessment and treatment using approved medications, of individuals who are addicted to  
9 opioids.

10           “SAMHSA”, the Substance Abuse and Mental Health Services Administration.

11 Any coverage offered by the commission to an active or retired employee of the  
12 commonwealth insured under the group insurance commission shall provide coverage for  
13 buprenorphine, injectable naltrexone, and methadone treatment programs, provided that the total  
14 out-of-pocket cost charged to enrollees in the form of co-payments for methadone treatment  
15 programs shall not exceed 20 per cent of the total reimbursement paid to the methadone  
16 treatment program provider for such services.

17 Any coverage offered by the commission to an active or retired employee of the  
18 commonwealth insured under the group insurance commission shall provide reimbursement to  
19 methadone treatment programs for buprenorphine and injectable naltrexone provided to an  
20 enrollee.

21 SECTION 2. Chapter 118E of the General Laws, as amended by chapter 233 of the acts  
22 of 2016, is hereby amended by inserting after section 10J the following section:-

23 Section 10K. For the purposes of this section the following terms shall have the following  
24 meanings:-

25 “Methadone treatment program”, an opioid treatment program as defined in 105 CMR  
26 164.006, a SAMHSA-certified program, licensed by the department of public health, usually  
27 comprised of a facility, staff, administration, patients, and services, that engages in supervised  
28 assessment and treatment using approved medications, of individuals who are addicted to  
29 opioids.

30 “SAMHSA”, the Substance Abuse and Mental Health Services Administration.

31           The division and its contracted health insurers, health plans, health maintenance  
32 organizations, behavioral health management firms and third party administrators under contract  
33 to a Medicaid managed care organization or primary care clinician plan shall cover the cost of  
34 buprenorphine, injectable naltrexone, and methadone treatment programs, provided that the total  
35 out-of-pocket cost charged to enrollees in the form of co-payments for methadone treatment  
36 programs shall not exceed 20 per cent of the total reimbursement paid to the methadone  
37 treatment program provider for such services.

38           The division and its contracted health insurers, health plans, health maintenance  
39 organizations, behavioral health management firms and third party administrators under contract  
40 to a Medicaid managed care organization or primary care clinician plan shall provide  
41 reimbursement to methadone treatment programs for buprenorphine and injectable naltrexone  
42 provided to an enrollee.”

43           SECTION 3. Chapter 175 of the General Laws, as amended by chapter 233 of the acts of  
44 2016, is hereby amended by inserting after section 47II the following section:-

45           Section 47JJ. For the purposes of this section the following terms shall have the  
46 following meanings:-

47           “Methadone treatment program”, an opioid treatment program as defined in 105 CMR  
48 164.006, a SAMHSA-certified program, licensed by the department of public health, usually  
49 comprised of a facility, staff, administration, patients, and services, that engages in supervised  
50 assessment and treatment using approved medications, of individuals who are addicted to  
51 opioids.

52           “SAMHSA”, the Substance Abuse and Mental Health Services Administration.

53 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or  
54 renewed within the commonwealth, which is considered creditable coverage under section 1 of  
55 chapter 111M, shall provide coverage for buprenorphine, injectable naltrexone, and methadone  
56 treatment programs, provided that the total out-of-pocket cost charged to enrollees in the form of  
57 co-payments for methadone treatment programs shall not exceed 20 per cent of the total  
58 reimbursement paid to the methadone treatment program provider for such services.

59 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or  
60 renewed within the commonwealth, which is considered creditable coverage under section 1 of  
61 chapter 111M, shall provide reimbursement to methadone treatment programs for buprenorphine  
62 and injectable naltrexone provided to an enrollee.

63 SECTION 4. This act shall take effect one year from the effective date of this act.