

SENATE No. 553

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 providing health insurance coverage for scalp and facial hair prosthesis.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|----------------------------|------------------------------------|------------------|
| <i>Joan B. Lovely</i> | <i>Second Essex</i> | |
| <i>Bradford R. Hill</i> | <i>4th Essex</i> | <i>2/2/2017</i> |
| <i>James E. Timilty</i> | <i>Bristol and Norfolk</i> | <i>2/27/2017</i> |
| <i>Cynthia Stone Creem</i> | <i>First Middlesex and Norfolk</i> | <i>2/28/2017</i> |

SENATE No. 553

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 553) of Joan B. Lovely and Bradford R. Hill for legislation to provide health insurance coverage for scalp and facial hair prosthesis. Financial Services.

The Commonwealth of Massachusetts

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

An Act providing health insurance coverage for scalp and facial hair prosthesis.

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. Subsection (b) of section 17E of chapter 32A of the General Laws, as so
2 appearing in the 2010 Official Edition, is hereby amended by inserting, in line 11, after the
3 words “cancer or leukemia;” the following:- or as a result of alopecia areata, alopecia totalis,
4 non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided,
5 however, that the alopecia is not part of the natural or premature aging process; and

6 SECTION 2. Chapter 175 of the General Laws, as so appearing, is hereby amended by
7 inserting after section 47AA the following section:-

8 Section 47BB. (a) As used in this section, the following words shall have the following
9 meanings:

10 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
11 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
12 hair, facial pigmentation or glass eyes.

13 "Scalp hair prosthesis", an artificial substitute for scalp hair.

14 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
15 limited to, eyebrows.

16 (b) An individual policy of accident and sickness insurance issued under section 108 that
17 provides hospital expense and surgical expense insurance and any group blanket or general
18 policy of accident and sickness insurance issued under section 110 that provides hospital expense
19 and surgical expense insurance, which is issued or renewed within or without the
20 commonwealth, shall provide benefits on a nondiscriminatory basis for any other prosthesis,
21 coverage for expenses for facial medical pigmentation or scalp hair prostheses worn for hair loss
22 suffered as a result of the treatment of any form of cancer or leukemia, or as a result of alopecia
23 areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of facial or scalp hair due
24 to injury; provided, however, that the alopecia is not part of the natural or premature aging
25 process; and provided, however, that such coverage shall be subject to a written statement by the
26 treating physician that the facial medical pigmentation or scalp hair prosthesis is medically
27 necessary; and provided, further, that such coverage shall be subject to the same limitations and
28 guidelines as other prostheses.

29 SECTION 3. Chapter 176A of the General Laws, as so appearing, is hereby amended by
30 inserting after section 8DD the following section:-

31 Section 8EE. (a) As used in this section, the following words shall have the following
32 meanings:

33 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
34 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
35 hair, facial pigmentation or glass eyes.

36 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

37 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
38 limited to, eyebrows.

39 A contract between a subscriber and the corporation under an individual or group hospital
40 service plan which is issued or renewed within or without the commonwealth shall provide
41 benefits on a nondiscriminatory basis for expenses for facial medical pigmentation or scalp hair
42 prosthesis worn for hair loss suffered as a result of the treatment of any form of cancer or
43 leukemia, or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or
44 permanent loss of scalp hair due to injury; provided, however, that the alopecia is not part of the
45 natural or premature aging process; and provided, however, that such coverage shall be subject to
46 a written statement by the treating physician that the facial medical pigmentation or scalp hair
47 prosthesis is medically necessary. Such coverage shall be subject to the same limitations and
48 guidelines as other prosthesis. Such pigmentation and prosthesis coverage shall be provided at a
49 minimum at the same amount and frequency as any state insurer provides for hair prostheses for
50 hair loss due to chemotherapy.

51 SECTION 4. Chapter 176B of the General Laws, as so appearing, is hereby amended by
52 inserting after section 4DD the following section:-

53 Section 4EE. (a) As used in this section, the following words shall have the following
54 meanings::

55 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
56 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
57 hair, facial pigmentation or glass eyes.

58 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

59 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
60 limited to, eyebrows.

61 A subscription certificate under an individual or group medical service agreement which
62 is issued or renewed within or without the commonwealth shall provide benefits on a
63 nondiscriminatory basis for expenses for facial medical pigmentation or scalp hair prosthesis
64 worn for hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a
65 result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase, or permanent loss of
66 facial or scalp hair due to injury; provided, however, that the alopecia is not part of the natural or
67 premature aging process. Such coverage, however, shall be subject to a written statement by the
68 treating physician that the medical pigmentation or hair prosthesis is medically necessary. Such
69 coverage shall be subject to the same limitations and guidelines as other prosthesis. Such medical
70 pigmentation or scalp hair prosthesis coverage shall be provided at a minimum at the same
71 amount and frequency as any state insurer provides for hair prostheses for hair loss due to
72 chemotherapy.

73 SECTION 5. Chapter 176G of the General Laws, as so appearing, is hereby amended by
74 inserting after section 4V the following section:-

75 Section 4W. (a) As used in this section, the following words shall have the following
76 meanings:

77 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
78 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
79 hair, facial pigmentation or glass eyes.

80 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

81 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
82 limited to, eyebrows.

83 A health maintenance contract issued or renewed within or without the commonwealth
84 shall provide benefits on a nondiscriminatory basis for facial hair loss suffered as a result of the
85 treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis,
86 non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided,
87 however, that the alopecia is not part of the natural or premature aging process; and provided,
88 however, that such coverage shall be subject to a written statement by the treating physician that
89 the facial medical pigmentation or scalp hair prosthesis is medically necessary. Such coverage
90 shall be subject to the same limitations and guidelines as other prosthesis. Such prosthesis
91 coverage shall be provided at a minimum at the same amount and frequency as any state insurer
92 provides for hair prostheses for hair loss due to chemotherapy.