

**HOUSE . . . . . No. 963**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Carolyn C. Dykema*

*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 ensuring consumer choice of health care providers.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>1/17/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/24/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/30/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>

**HOUSE . . . . . No. 963**

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 963) of Carolyn C. Dykema and others for legislation to require that accountable care organizations have a clear and transparent process to accept or deny certain health care providers. Financial Services.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act ensuring consumer choice of health care providers.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 6D of the General Laws, as appearing in the 2016 Official Edition, is hereby  
2 amended by inserting after section 15 the following section:-

3 Section 15A. (a) No carrier or accountable care organization may obstruct patient choice  
4 by excluding a health care provider licensed under the laws of this state, irrespective of corporate  
5 structure or number of locations at which it conducts business, from participating on the carrier's  
6 or ACO's 's network of health care providers if the provider is located within the geographic  
7 coverage area of the health benefit plan and is willing to meet the terms and conditions of  
8 participation as established by the carrier or ACO as long as such measures are imposed equally  
9 on all health care providers in the same class.

10 (b) When a carrier or ACO denies a health care provider the right to enter into an  
11 agreement with the carrier or ACO on the grounds that the health care provider does not satisfy  
12 the terms and conditions established by the carrier or ACO for health care providers entering into

13 agreements with the insurer, the insurer shall provide the provider with a written notice that: (1)  
14 explains the basis of the carrier's or ACO's denial; and (2) states the specific terms and  
15 conditions that the health care provider, in the opinion of the carrier or ACO, does not satisfy.

16 (c) The office of patient protection shall have authority to enforce the provisions of this  
17 section.