

**HOUSE . . . . . No. 3556**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Sean Garballey and John J. Lawn, Jr.*

*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 promoting continuity of care for multiple sclerosis treatment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/18/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>3/20/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>1/23/2019</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/24/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/24/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/24/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>1/24/2019</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/24/2019</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/24/2019</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/24/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/25/2019</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/25/2019</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>1/25/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/25/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/25/2019</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/25/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/27/2019</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>1/28/2019</i>

<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>1/28/2019</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/28/2019</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/28/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/28/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/29/2019</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/29/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/29/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/29/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/29/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/29/2019</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/29/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>1/29/2019</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/29/2019</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>1/29/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>1/29/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/29/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2019</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>1/30/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>1/30/2019</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/30/2019</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>	<i>1/30/2019</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/30/2019</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>	<i>1/31/2019</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>1/31/2019</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>2/1/2019</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/1/2019</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	<i>2/1/2019</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>2/1/2019</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>2/1/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/1/2019</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/2/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/1/2019</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>1/31/2019</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>1/31/2019</i>

<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/31/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>2/1/2019</i>
<i>John C. Velis</i>	<i>4th Hampden</i>	<i>2/1/2019</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/1/2019</i>

**HOUSE . . . . . No. 3556**

---

---

By Messrs. Garballey of Arlington and Lawn of Watertown, a petition (accompanied by bill, House, No. 3556) of Sean Garballey, John J. Lawn, Jr., and others relative to coverage for disease modifying prescription drugs for treatment of multiple sclerosis. Financial Services.

---

---

**The Commonwealth of Massachusetts**

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

An Act promoting continuity of care for multiple sclerosis 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 appearing in the 2016 Official  
2 Edition, is hereby amended by adding the following new section:-

3 Section 28. The commission shall provide to any active or retired employee of the  
4 commonwealth and who is insured under the group insurance commission coverage for a disease  
5 modifying prescription drug for treatment of multiple sclerosis that the individual has already  
6 been prescribed and has already been taking. This section shall also require coverage for such an  
7 ongoing disease-modifying prescription drug treatment under any non-group policy.

8 SECTION 2. Chapter 175 of the General Laws, as appearing in the 2016 Official Edition,  
9 is hereby amended by inserting after Section 47II the following new section:-

10 Section 47JJ. Any policy of accident and sickness insurance as described in section 108  
11 that provides hospital expense and surgical expense insurance and that is delivered, issued or  
12 subsequently renewed by agreement between the insurer and policyholder in the commonwealth;

13 any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110  
14 that provides hospital expense and surgical expense insurance and that is delivered, issued or  
15 subsequently renewed by agreement between the insurer and the policyholder, within or without  
16 the commonwealth ; or any employees' health and welfare fund that provides hospital expense  
17 and surgical expense benefits and that is delivered, issued or renewed to any person or group of  
18 persons in the commonwealth, shall provide to a commonwealth resident covered by the policy,  
19 coverage for a disease-modifying prescription drug to treat multiple sclerosis that the individual  
20 has already been prescribed and has already been taking, upon receipt of documentation by the  
21 prescribing provider that 1) the member has been diagnosed with a form of multiple sclerosis,  
22 and 2) the member has been stabilized or has achieved a positive clinical response as evidenced  
23 by low disease activity or improvement in symptoms on the drug.

24 The benefits in this section shall not be subject to any greater deductible, coinsurance,  
25 copayments or out-of-pocket limits than the maximum deductible, coinsurance, copayments or  
26 out-of-pocket limits for other disease-modifying prescription drugs for multiple sclerosis covered  
27 by the policy. This section shall also require coverage for such an ongoing disease-modifying  
28 prescription drug treatment for multiple sclerosis under any non-group policy.

29 SECTION 3. Chapter 176A of the General Laws, as appearing in the 2016 Official  
30 Edition, is hereby amended by inserting after Section 8KK the following new section:-

31 Section 8LL. Any contract between a subscriber and the corporation under an individual  
32 or group hospital service plan that is delivered, issued or renewed in the commonwealth shall  
33 provide as benefits to any individual subscribers or members within the commonwealth a  
34 disease-modifying prescription drug to treat multiple sclerosis that the individual has already

35 been prescribed and has already been taking, upon receipt of documentation by the prescribing  
36 provider that 1) the member has been diagnosed with a form of multiple sclerosis, and 2) the  
37 member has been stabilized or has achieved a positive clinical response as evidenced by low  
38 disease activity or improvement in symptoms on the drug.

39 The benefits in this section shall not be subject to greater deductible, coinsurance,  
40 copayments or out-of-pocket limits than the maximum deductible, coinsurance, copayments or  
41 out-of-pocket limits for other disease-modifying prescription drugs for multiple sclerosis covered  
42 by the policy. This section shall also require coverage for such an ongoing disease-modifying  
43 prescription drug treatment for multiple sclerosis under any non-group policy.

44 SECTION 4. Chapter 176B of the General Laws, as appearing in the 2016 Official  
45 Edition, is hereby amended by inserting after Section 4KK the following new section:-

46 Section 4LL. Any subscription certificate under an individual or group medical service  
47 agreement that shall be delivered, issued or renewed within the commonwealth shall provide as  
48 benefits to any individual subscriber or member within the commonwealth coverage for a  
49 disease-modifying prescription drug to treat multiple sclerosis that the individual has already  
50 been prescribed and has already been taking, upon receipt of documentation by the prescribing  
51 provider that 1) the member has been diagnosed with a form of multiple sclerosis, and 2) the  
52 member has been stabilized or has achieved a positive clinical response as evidenced by low  
53 disease activity or improvement in symptoms on the drug.

54 The benefits in this section shall not be subject to any greater deductible, coinsurance,  
55 copayments or out-of-pocket limits than the maximum deductible, coinsurance, copayments or  
56 out-of-pocket limits for other disease-modifying prescription drugs for multiple sclerosis covered

57 by the policy. This section shall also require coverage for such an ongoing disease-modifying  
58 prescription drug treatment for multiple sclerosis under any non-group policy.

59 SECTION 5. Chapter 176G of the General Laws, as appearing in the 2016 Official  
60 Edition, is hereby amended by inserting after Section 4CC the following new section:-

61 Section 4DD. An individual or group health maintenance contract shall provide coverage  
62 and benefits to any individual within the commonwealth for a disease-modifying prescription  
63 drug for treatment of multiple sclerosis that the individual has already been prescribed and has  
64 already been taking, upon receipt of documentation by the prescribing provider that 1) the  
65 member has been diagnosed with a form of multiple sclerosis, and 2) the member has been  
66 stabilized or has achieved a positive clinical response as evidenced by low disease activity or  
67 improvement in symptoms on the drug.

68 The benefits in this section shall not be subject to any greater deductible, coinsurance,  
69 copayments or out-of-pocket limits than the maximum deductible, coinsurance, copayments or  
70 out-of-pocket limits for other disease-modifying prescription drugs for multiple sclerosis covered  
71 by the policy. This section shall also require coverage for such an ongoing disease-modifying  
72 prescription drug treatment for multiple sclerosis under any non-group policy.