

**SENATE . . . . . No. 549**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sonia Chang-Diaz***

*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 relative to women’s health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sonia Chang-Diaz</i>	<i>Second Suffolk</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/25/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/28/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/31/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/1/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2019</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/1/2019</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>2/1/2019</i>

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By Ms. Chang-Diaz, a petition (accompanied by bill, Senate, No. 549) of Sonia Chang-Diaz, Joanne M. Comerford, Jason M. Lewis, José F. Tosado and other members of the General Court for legislation relative to women’s health. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 507 OF 2017-2018.]

**The Commonwealth of Massachusetts**

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

An Act relative to women’s health.

*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 inserting after section 27 the following section:

3           Section 28. Any coverage offered by the commission to an active or retired employee of  
4 the commonwealth insured under the group insurance commission shall provide coverage for  
5 long acting reversible contraceptives. Notwithstanding any other provision of law to the contrary,  
6 effective January 1, 2020, the insertion and removal of long-acting reversible contraceptives,  
7 whether provided in an inpatient or outpatient setting, shall each be reimbursed separately from  
8 other services. The maximum allowed reimbursement rate to providers for insertion or removal  
9 of long-acting reversible contraceptives shall be increased by no less than two hundred and  
10 ninety nine dollars, effective January 1, 2020.

11 SECTION 2. Chapter 118E of the General Laws, as so appearing, is hereby amended by  
12 inserting after section 10J the following section:

13 10K (a) The division and its contracted health insurers, health plans, health maintenance  
14 organizations, behavioral health management firms and third-party administrators under contract  
15 to a Medicaid managed care organization or primary care clinician plan shall provide coverage  
16 for long acting reversible contraceptives. Notwithstanding any other provision of law to the  
17 contrary, effective January 1, 2020, the insertion and removal of long-acting reversible  
18 contraceptives, whether provided in an inpatient or outpatient setting, shall each be reimbursed  
19 separately from other services. The maximum allowed reimbursement rate to providers for  
20 insertion or removal of long-acting reversible contraceptives shall be increased by no less than  
21 two hundred and ninety nine dollars, effective January 1, 2020.

22 SECTION 3. Chapter 175 of the General Laws, as so appearing, is hereby amended in  
23 section 47W(c) by inserting at the end thereof the following:

24 (d) An individual policy of accident and sickness insurance issued pursuant to section  
25 108 that provides hospital expense and surgical expense and any group blanket policy of accident  
26 and sickness insurance issued pursuant to section 110 that provides hospital expense and surgical  
27 expense insurance, delivered, issued or renewed by agreement between the insurer and the  
28 policyholder, within or without the commonwealth, (hereinafter “policy”) shall provide benefits  
29 for residents of the commonwealth and all group members having a principal place of  
30 employment within the commonwealth coverage for long acting reversible contraceptives.  
31 Notwithstanding any other provision of law to the contrary, effective January 1, 2020, the  
32 insertion and removal of long-acting reversible contraceptives, whether provided in an inpatient

33 or outpatient setting, shall each be reimbursed separately from other services. The maximum  
34 allowed reimbursement rate to providers for insertion or removal of long-acting reversible  
35 contraceptives shall be increased by no less than two hundred and ninety nine dollars, effective  
36 January 1, 2020.

37 SECTION 4. Chapter 176A of the General Laws, as so appearing, is hereby amended in  
38 section 8W(c) by inserting at the end thereof the following:

39 (d) Any contract between a subscriber and the corporation under an individual or group  
40 hospital service plan that is delivered, issued or renewed within or without the commonwealth  
41 and that provides benefits for outpatient services shall provide to all individual subscribers and  
42 members within the commonwealth and to all group members having a principal place of  
43 employment within the commonwealth coverage for long acting reversible contraceptives.  
44 Notwithstanding any other provision of law to the contrary, effective January 1, 2020, the  
45 insertion and removal of long-acting reversible contraceptives, whether provided in an inpatient  
46 or outpatient setting, shall each be reimbursed separately from other services. The maximum  
47 allowed reimbursement rate to providers for insertion or removal of long-acting reversible  
48 contraceptives shall be increased by no less than two hundred and ninety nine dollars, effective  
49 January 1, 2020.

50 SECTION 5. Chapter 176B of the General Laws, as so appearing, is hereby amended in  
51 section 4W(c) by inserting at the end thereof the following:

52 (d) Any subscription certificate under an individual or group medical service agreement  
53 that is delivered, issued or renewed within or without the commonwealth and that provides  
54 benefits for outpatient services shall provide to all individual subscribers and members within the

55 commonwealth and to all group members having a principal place of employment within the  
56 commonwealth coverage for long acting reversible contraceptives. Notwithstanding any other  
57 provision of law to the contrary, effective January 1, 2020, the insertion and removal of long-  
58 acting reversible contraceptives, whether provided in an inpatient or outpatient setting, shall each  
59 be reimbursed separately from other services. The maximum allowed reimbursement rate to  
60 providers for insertion or removal of long-acting reversible contraceptives shall be increased by  
61 no less than two hundred and ninety nine dollars, effective January 1, 2020.

62 SECTION 6. Chapter 176G of the General Laws, as so appearing, is hereby amended in  
63 section 40(c) by inserting at the end thereof the following:

64 (d) Any individual or group health maintenance contract that is issued, renewed or  
65 delivered within or without the commonwealth and that provides benefits for outpatient  
66 prescription drugs or devices shall provide to residents of the commonwealth and to persons  
67 having a principal place of employment within the commonwealth coverage for long acting  
68 reversible contraceptives. Notwithstanding any other provision of law to the contrary, effective  
69 January 1, 2020, the insertion and removal of long-acting reversible contraceptives, whether  
70 provided in an inpatient or outpatient setting, shall each be reimbursed separately from other  
71 services. The maximum allowed reimbursement rate to providers for insertion or removal of  
72 long-acting reversible contraceptives shall be increased by no less than two hundred and ninety  
73 nine dollars, effective January 1, 2020.

74 SECTION 7: Chapter 111 of the General Laws, as so appearing, is hereby amended by  
75 inserting after section 236 the following section:-

76           Section 237. The department of public health shall develop and implement, or cause to be  
77 developed and implemented, a training program that works to expand the number of clinicians  
78 and practices equipped to provide long-acting reversible contraceptives. The training shall  
79 address best practices for patient counseling, implant placement and removal, and addressing  
80 administrative barriers to providing long-acting reversible contraceptives, including the  
81 development of policies and procedures, procurement of devices, stocking devices, billing and  
82 reimbursement. To the fullest extent possible, said training shall be eligible for relevant  
83 continuing education credits. Upon completion of the training program, providers should be  
84 adequately prepared to provide access to all methods of contraception in a single patient visit.

85           SECTION 8. Section 10A of chapter 118E of the General Laws is hereby amended by  
86 adding the following paragraph after the second paragraph: -

87           Beginning on January 1, 2020, postpartum visits shall be billed separately from prenatal  
88 care and childbirth.