

HOUSE No. 1214**The Commonwealth of Massachusetts**

PRESENTED BY:

Daniel R. Carey

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 ensuring treatment for genetic craniofacial conditions.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|--|------------------|
| <i>Daniel R. Carey</i> | <i>2nd Hampshire</i> | <i>2/5/2021</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>2/17/2021</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>2/18/2021</i> |
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>2/18/2021</i> |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>2/18/2021</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>2/19/2021</i> |
| <i>Walter F. Timilty</i> | <i>Norfolk, Bristol and Plymouth</i> | <i>3/9/2021</i> |
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> | <i>3/11/2021</i> |
| <i>Hannah Kane</i> | <i>11th Worcester</i> | <i>3/15/2021</i> |
| <i>Patricia A. Duffy</i> | <i>5th Hampden</i> | <i>4/5/2021</i> |
| <i>Carlos González</i> | <i>10th Hampden</i> | <i>4/5/2021</i> |
| <i>Natalie M. Blais</i> | <i>1st Franklin</i> | <i>4/5/2021</i> |
| <i>Jacob R. Oliveira</i> | <i>7th Hampden</i> | <i>4/5/2021</i> |
| <i>Tami L. Gouveia</i> | <i>14th Middlesex</i> | <i>4/15/2021</i> |

HOUSE No. 1214

By Mr. Carey of Easthampton, a petition (accompanied by bill, House, No. 1214) of Daniel R. Carey and others for legislation to provide health insurance coverage for certain medically necessary functional repair or restoration of craniofacial disorders. Financial Services.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to ensuring treatment for genetic craniofacial conditions.

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 is hereby amended by inserting after section
2 17N as appearing in the 2014 Official Edition, the following section:-

3 Section 17O. Any coverage offered by the commission to an active or retired employee
4 of the commonwealth insured under the group insurance commission shall provide coverage for
5 medically necessary functional repair or restoration of craniofacial disorders, with the exception
6 of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to
7 improve the function of, or to approximate the normal appearance or any abnormal structures
8 caused by congenital disease or anomaly. Coverage under this section shall include the necessary
9 care and treatment of medically diagnosed congenital disease or anomaly. Including, but not
10 limited to, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta. Coverage
11 shall not include cosmetic surgery or for dental or orthodontic treatment unrelated to congenital
12 disease or anomaly. The benefits in this section shall not be subject to any greater deductible,

coinsurance, copayments or out-of-pocket limits than any other benefit provided by the commission.

SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after section 10I, inserted by section 105 of chapter 46 of the acts of 2015, the following section:-

Section 10J. The division shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under this section shall include the necessary care and treatment of medically diagnosed congenital disease or anomaly, including ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or for dental or orthodontic treatment unrelated to congenital disease or anomaly. The benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by the division.

SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after section 47GG, as appearing in the 2014 Official Edition, the following section:-

Section 47HH. The following shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under this section shall include the necessary care and treatment of medically diagnosed congenital disease or anomaly, including ectodermal dysplasia, dentinogenesis

imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to congenital disease or anomaly.: (i) any policy of accident and sickness insurance, as described in section 108, which provides hospital expense and surgical expense insurance and which is delivered, issued or subsequently renewed by agreement between the insurer and policyholder in the commonwealth; (ii) any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110 which provides hospital expense and surgical expense insurance and which is delivered, issued or subsequently renewed by agreement between the insurer and the policyholder in or outside of the commonwealth; or (iii) any employees' health and welfare fund which provides hospital expense and surgical expense benefits and which is delivered, issued or renewed to any person or group of persons in the commonwealth. The benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after section 8II, as so appearing, the following section:-

Section 8JJ. Any contract between a subscriber and the corporation under an individual or group hospital service plan which is delivered, issued or renewed within the commonwealth shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under this section shall include the necessary care and treatment of medically diagnosed congenital disease or anomaly, including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or dental or orthodontic

treatment unrelated to congenital disease or anomaly. The benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

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

Section 4JJ. Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed within the commonwealth shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by disease or anomaly. Coverage under this section shall include the necessary care and treatment of medically diagnosed congenital disease or anomaly, including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to congenital disease or anomaly. The benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

SECTION 6. Chapter 176G of the General Laws, as so appearing, is hereby amended by inserting after section 4AA, as so appearing, the following section:-

Section 4BB. Any individual or group health maintenance contract shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any

80 abnormal structures caused by congenital disease or anomaly. Coverage under this section shall
81 include the necessary care and treatment of medically diagnosed congenital disease or anomaly,
82 including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta.
83 Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to
84 congenital disease or anomaly. The benefits in this section shall not be subject to any greater
85 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
86 the insurer.

87 SECTION 7. Chapter 176I of the General Laws, as so appearing, is hereby amended by
88 inserting after section,12, as so appearing, the following section:-

89 Section 13. An organization entering into a preferred provider contract shall provide
90 coverage for medically necessary functional repair or restoration of craniofacial disorders; with
91 the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the
92 General Laws, to improve the function of, or to approximate the normal appearance of any
93 abnormal structures caused by congenital disease or anomaly. Coverage under this section shall
94 include the necessary care and treatment of medically diagnosed congenital disease or anomaly,
95 including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta.
96 Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to
97 congenital defects, developmental deformities, trauma, tumors, infections or disease. The
98 benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or
99 out-of-pocket limits than any other benefit provided by the insurer.

100 SECTION 8. This act shall apply to all policies, contracts and certificates of health
101 insurance subject to chapters 32A, 118E, 175, 176A, 176B, 176G and 176I, of the General Laws,

102 as so appearing, issued or renewed, except any entity to the extent it offers a policy, certificate or
103 contract that provides coverage for dental care services or vision care services.