

**HOUSE . . . . . No. 1215**

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**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 hospital grade breast pumps.

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS:     | DATE ADDED:      |
|-------------------------|-----------------------|------------------|
| <i>Daniel R. Carey</i>  | <i>2nd Hampshire</i>  | <i>2/15/2021</i> |
| <i>Tami L. Gouveia</i>  | <i>14th Middlesex</i> | <i>2/22/2021</i> |
| <i>Natalie M. Blais</i> | <i>1st Franklin</i>   | <i>2/24/2021</i> |
| <i>Brian M. Ashe</i>    | <i>2nd Hampden</i>    | <i>2/26/2021</i> |
| <i>Mindy Domb</i>       | <i>3rd Hampshire</i>  | <i>4/20/2021</i> |

**HOUSE . . . . . No. 1215**

By Mr. Carey of Easthampton, a petition (accompanied by bill, House, No. 1215) of Daniel R. Carey and others relative to insurance coverage for hospital grade breast pumps. Financial Services.

**The Commonwealth of Massachusetts**

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

An Act relative to hospital grade breast pumps.

*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 adding the  
2 following section:-

3 Section 29. (a) As used in this section, “hospital grade breast pump” shall mean a breast  
4 pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by multiple  
5 users safely and hygienically; (iii) durable enough to be used by a mother who is expressing 8  
6 times per day or more; (iv) is made for heavy usage with a long motor life; (v) operating using a  
7 closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii) has a multiphase  
8 system or the ability to customize for each mother.

9 (b) The commission shall provide to any active or retired employee of the commonwealth  
10 who is insured under the group insurance commission coverage for the cost of the rental and  
11 usage of a hospital grade breast pump by the mother of a newborn infant who is receiving care at

12 an intensive care or special care nursery until such time as the infant is discharged or until the  
13 mother is no longer pumping breastmilk.

14 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after  
15 section 10L the following section:-

16 Section 10M. (a) As used in this section, “hospital grade breast pump” shall mean a  
17 breast pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by  
18 multiple users safely and hygienically; (iii) durable enough to be used by a mother who is  
19 expressing 8 times per day or more; (iv) is made for heavy usage with a long motor life; (v)  
20 operating using a closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii)  
21 has a multiphase system or the ability to customize for each mother.

22 (b) The division and its contracted health insurers, health plans, health maintenance  
23 organizations, behavioral health management firms and third-party administrators under contract  
24 to a Medicaid managed care organization or primary care clinician plan shall provide coverage  
25 for the cost of the rental and usage of a hospital grade breast pump by the mother of a newborn  
26 infant who is receiving care at an intensive care or special care nursery until such time as the  
27 infant is discharged or until the mother is no longer pumping breastmilk.

28 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after  
29 section 47KK the following section:-

30 Section 47LL. (a) As used in this section, “hospital grade breast pump” shall mean a  
31 breast pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by  
32 multiple users safely and hygienically; (iii) durable enough to be used by a mother who is  
33 expressing 8 times per day or more; (iv) is made for heavy usage with a long motor life; (v)

34 operating using a closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii)  
35 has a multiphase system or the ability to customize for each mother.

36 (b) Any policy, contract, agreement, plan or certificate of insurance issued, delivered or  
37 renewed within the commonwealth, which is considered creditable coverage under section 1 of  
38 chapter 111M, shall provide coverage for the cost of the rental and usage of a hospital grade  
39 breast pump by the mother of a newborn infant who is receiving care at an intensive care or  
40 special care nursery until such time as the infant is discharged or until the mother is no longer  
41 pumping breastmilk.

42 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after  
43 section 8MM the following section:-

44 Section 8NN. (a) As used in this section, “hospital grade breast pump” shall mean a  
45 breast pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by  
46 multiple users safely and hygienically; (iii) durable enough to be used by a mother who is  
47 expressing 8 times per day or more; (iv) is made for heavy usage with a long motor life; (v)  
48 operating using a closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii)  
49 has a multiphase system or the ability to customize for each mother.

50 (b) Any contract between a subscriber and the corporation under an individual or group  
51 hospital service plan that is delivered, issued or renewed within the commonwealth shall provide  
52 coverage for the cost of the rental and usage of a hospital grade breast pump by the mother of a  
53 newborn infant who is receiving care at an intensive care or special care nursery until such time  
54 as the infant is discharged or until the mother is no longer pumping breastmilk.

55 SECTION 5. Chapter 176B of the General laws is hereby amended by inserting after  
56 section 4MM the following section:-

57 Section 4NN. (a) As used in this section, “hospital grade breast pump” shall mean a  
58 breast pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by  
59 multiple users safely and hygienically; (iii) durable enough to be used by a mother who is  
60 expressing 8 times per day or more; (iv) is made for heavy usage with a long motor life; (v)  
61 operating using a closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii)  
62 has a multiphase system or the ability to customize for each mother.

63 (b) Any subscription certificate under an individual or group medical service agreement  
64 delivered, issued or renewed within the commonwealth shall provide coverage for the cost of the  
65 rental and usage of a hospital grade breast pump by the mother of a newborn infant who is  
66 receiving care at an intensive care or special care nursery until such time as the infant is  
67 discharged or until the mother is no longer pumping breastmilk.

68 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after  
69 section 4EE the following section:-

70 Section 4FF. (a) As used in this section, “hospital grade breast pump” shall mean a  
71 breast pump that is: (i) capable of initiating and supporting milk supply; (ii) able to be used by  
72 multiple users safely and hygienically; (iii) durable enough to be used by a mother who is  
73 expressing 8 times per day or more; (iv) is made for heavy usage with a long motor life; (v)  
74 operating using a closed system; (vi) is capable of suction power from 0 to 300 mmHg; and (vii)  
75 has a multiphase system or the ability to customize for each mother.

76           (b) An individual or group health maintenance contract that is issued or renewed shall  
77 provide coverage for the cost of the rental and usage of a hospital grade breast pump by the  
78 mother of a newborn infant who is receiving care at an intensive care or special care nursery  
79 until such time as the infant is discharged or until the mother is no longer pumping breastmilk.