

SENATE No. 1291

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 to improve access to behavioral health services.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------|-----------------------------|------------------|
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> | |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | <i>2/24/2021</i> |

SENATE No. 1291

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1291) of John F. Keenan and Elizabeth A. Malia for legislation to improve access to behavioral health services. Mental Health, Substance Use and Recovery.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1152 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act to improve access to behavioral health services.

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 118E of the General Laws, as appearing in the 2018 Official
2 Edition, is hereby amended by adding the following new section:-

3 Section 79. Notwithstanding any general or special law, rule or regulation to the contrary,
4 the division of medical assistance shall convene a working group to develop a process to enhance
5 the current community-based behavioral health screening process and direct Medicaid contracted
6 health insurers, health plans, health maintenance organizations, behavioral health management
7 firms and third party administrators under contract to a Medicaid managed care organization or
8 the Medicaid primary care clinician plans to allow admission to inpatient behavioral health
9 services from a community-based setting where a patient is presenting with a behavioral health

10 condition that requires such admission but does not require a medical screening examination in
11 an emergency department.

12 The working group shall include representatives from the Association for Behavioral
13 Healthcare, Massachusetts College of Emergency Physicians, Massachusetts Psychiatric Society,
14 Massachusetts Health and Hospital Association, National Alliance on Mental Illness, the
15 Massachusetts Association of Behavioral Health Systems, and all applicable carriers that cover
16 such services. The working group shall convene no later than thirty days after the effective date
17 of this act.

18 The division shall file a report with the working group's recommendations, an
19 implementation schedule, and recommendations for legislation, if necessary, to implement the
20 plan. The report shall be filed with the clerks of the senate and house of representatives, the
21 house and senate chairs of the joint committee on mental health, substance use and recovery, the
22 house and senate chairs of the joint committee on public health, the house and senate chairs of
23 the joint committee on health care financing and the house and senate committees on ways and
24 means no later than six months after the effective date of this legislation.