SENATE DOCKET, NO. 1885 FILED ON: 2/18/2021

SENATE . . . . . No. 701

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 providing health insurance coverage for scalp and facial hair prostheses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Joan B. Lovely	*Second Essex*	
Bradford Hill	*4th Essex*	*2/19/2021*
Brian W. Murray	*10th Worcester*	*5/3/2021*
Lori A. Ehrlich	*8th Essex*	*5/3/2021*
Michael O. Moore	*Second Worcester*	*1/19/2022*
Lydia Edwards	*First Suffolk and Middlesex*	*1/31/2022*

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SENATE . . . . . No. 701

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 701) of Joan B. Lovely and Bradford Hill for legislation to provide health insurance coverage for scalp and facial hair prosthesis. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *617* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act providing health insurance coverage for scalp and facial hair prostheses.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Subsection (b) of section 17E of chapter 32A of the General Laws, as so appearing in the 2018 Official Edition, is hereby amended by inserting, in line 11, after the words “cancer or leukemia;” the following:-

or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided, however, that the alopecia is not part of the natural or premature aging process; and

SECTION 2. Chapter 175 of the General Laws, as so appearing, is hereby amended by inserting, after section 47KK, the following section:-

Section 47LL. (a) As used in this section, the following words shall have the following meanings:-

“Prosthesis”, an artificial appliance used to replace a lost natural structure; provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp hair, facial pigmentation or glass eyes.

"Scalp hair prosthesis”, an artificial substitute for scalp hair.

"Facial medical pigmentation", an artificial substitute for facial hair, including, but not limited to, eyebrows.

(b) An individual policy of accident and sickness insurance issued under section 108 that provides hospital expense and surgical expense insurance and any group blanket or general policy of accident and sickness insurance issued under section 110 that provides hospital expense and surgical expense insurance, which is issued or renewed within or without the commonwealth, shall provide benefits on a nondiscriminatory basis for any other prosthesis, coverage for expenses for facial medical pigmentation or scalp hair prostheses worn for hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided, however, that the alopecia is not part of the natural or premature aging process; and provided, however, that such coverage shall be subject to a written statement by the treating physician that the facial medical pigmentation or scalp hair prosthesis is medically necessary; and provided, further, that such coverage shall be subject to the same limitations and guidelines as other prostheses.

SECTION 3. Chapter 176A of the General Laws, as so appearing, is hereby amended by inserting after section 8MM the following section:-

Section 8NN. (a) As used in this section, the following words shall have the following meanings:-

“Prosthesis”, an artificial appliance used to replace a lost natural structure; provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp hair, facial pigmentation or glass eyes.

“Scalp hair prosthesis”, an artificial substitute for scalp hair.

"Facial medical pigmentation", an artificial substitute for facial hair, including, but not limited to, eyebrows.

A contract between a subscriber and the corporation under an individual or group hospital service plan that is issued or renewed within or without the commonwealth shall provide benefits on a nondiscriminatory basis for expenses for facial medical pigmentation or scalp hair prosthesis worn for hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however, that the alopecia is not part of the natural or premature aging process; and provided, however, that such coverage shall be subject to a written statement by the treating physician that the facial medical pigmentation or scalp hair prosthesis is medically necessary. Such coverage shall be subject to the same limitations and guidelines as other prosthesis. Such pigmentation and prosthesis coverage shall be provided at a minimum at the same amount and frequency as any state insurer provides for hair prostheses for hair loss due to chemotherapy.

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

Section 4NN. (a) As used in this section, the following words shall have the following meanings:-

“Prosthesis”, an artificial appliance used to replace a lost natural structure; provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp hair, facial pigmentation or glass eyes.

“Scalp hair prosthesis”, an artificial substitute for scalp hair.

"Facial medical pigmentation", an artificial substitute for facial hair, including, but not limited to, eyebrows.

A subscription certificate under an individual or group medical service agreement that is issued or renewed within or without the commonwealth shall provide benefits on a nondiscriminatory basis for expenses for facial medical pigmentation or scalp hair prosthesis worn for hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase, or permanent loss of facial or scalp hair due to injury; provided, however, that the alopecia is not part of the natural or premature aging process. Such coverage, however, shall be subject to a written statement by the treating physician that the medical pigmentation or hair prosthesis is medically necessary. Such coverage shall be subject to the same limitations and guidelines as other prosthesis. Such medical pigmentation or scalp hair prosthesis coverage shall be provided at a minimum at the same amount and frequency as any state insurer provides for hair prostheses for hair loss due to chemotherapy.

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

Section 4FF. (a) As used in this section, the following words shall have the following meanings:-

“Prosthesis”, an artificial appliance used to replace a lost natural structure; provided, however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp hair, facial pigmentation or glass eyes.

“Scalp hair prosthesis”, an artificial substitute for scalp hair.

"Facial medical pigmentation", an artificial substitute for facial hair, including, but not limited to, eyebrows.

A health maintenance contract issued or renewed within or without the commonwealth shall provide benefits on a nondiscriminatory basis for facial hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided, however, that the alopecia is not part of the natural or premature aging process; and provided, however, that such coverage shall be subject to a written statement by the treating physician that the facial medical pigmentation or scalp hair prosthesis is medically necessary. Such coverage shall be subject to the same limitations and guidelines as other prosthesis. Such prosthesis coverage shall be provided at a minimum at the same amount and frequency as any state insurer provides for hair prostheses for hair loss due to chemotherapy.