

HOUSE No. 5155

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 26, 2024.

The committee on Ways and Means, to whom was referred the Senate Bill relative to applied behavioral analysis therapy (Senate, No. 2970), reports recommending that the same ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 5155.

For the committee,

AARON MICHLEWITZ.

HOUSE No. 5155

Text of an amendment, recommended by the committee on Ways and Means, to the Senate Bill relative to applied behavioral analysis therapy (Senate, No. 2970). December 26, 2024.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after
2 section 25 the following section:-

3 Section 25A. For purposes of this section, “Down syndrome” shall mean a chromosomal
4 condition caused by an error in cell division that results in the presence of an extra whole or
5 partial copy of chromosome 21.

6 The commission shall provide to any active or retired employee of the commonwealth
7 who is insured under the group insurance commission coverage for the treatment of Down
8 syndrome through speech therapy, occupational therapy, physical therapy and applied behavior
9 analysis services.

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

12 Section 10H1/2. For purposes of this section, “Down syndrome” shall mean a
13 chromosomal condition caused by an error in cell division that results in the presence of an extra
14 whole or partial copy of chromosome 21.

15 The division and its contracted health insurers, health plans, health maintenance
16 organizations, behavioral health management firms and third-party administrators under contract
17 to a Medicaid managed care organization or primary care clinician plan shall provide coverage
18 for the treatment of Down syndrome through speech therapy, occupational therapy, physical
19 therapy and applied behavior analysis services.

20 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after
21 section 47AA the following section:-

22 Section 47AA1/2. For purposes of this section, “Down syndrome” shall mean a
23 chromosomal condition caused by an error in cell division that results in the presence of an extra
24 whole or partial copy of chromosome 21.

25 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
26 renewed within the commonwealth, which is considered creditable coverage under section 1 of
27 chapter 111M, shall provide coverage for the treatment of Down syndrome through speech
28 therapy, occupational therapy, physical therapy and applied behavior analysis services.

29 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
30 section 8DD the following section:-

31 Section 8DD1/2. For purposes of this section, “Down syndrome” shall mean a
32 chromosomal condition caused by an error in cell division that results in the presence of an extra
33 whole or partial copy of chromosome 21.

34 Any contract between a subscriber and the corporation under an individual or group
35 hospital service plan that is delivered, issued or renewed within the commonwealth shall provide

36 coverage for the treatment of Down syndrome through speech therapy, occupational therapy,
37 physical therapy and applied behavior analysis services.

38 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
39 section 4DD the following section:-

40 Section 4DD1/2. For purposes of this section, “Down syndrome” shall mean a
41 chromosomal condition caused by an error in cell division that results in the presence of an extra
42 whole or partial copy of chromosome 21.

43 A subscription certificate under an individual or group medical service agreement
44 delivered, issued or renewed within the commonwealth shall provide coverage for the treatment
45 of Down syndrome through speech therapy, occupational therapy, physical therapy and applied
46 behavior analysis services.

47 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
48 section 4V the following section:-

49 Section 4V1/2. For purposes of this section, “Down syndrome” shall mean a
50 chromosomal condition caused by an error in cell division that results in the presence of an extra
51 whole or partial copy of chromosome 21.

52 An individual or group health maintenance contract that is issued or renewed within the
53 commonwealth shall provide coverage for the treatment of Down syndrome through speech
54 therapy, occupational therapy, physical therapy and applied behavior analysis services.

55 SECTION 7. This act shall take effect on January 1, 2026.