

HOUSE No. 1054

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 epinephrine injectors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/17/2023</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/26/2023</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/26/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>1/26/2023</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/28/2023</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>1/31/2023</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/1/2023</i>

HOUSE No. 1054

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 1054) of Bradley H. Jones, Jr., and others relative to health insurance coverage for epinephrine injectors. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1125 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to epinephrine injectors.

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, as appearing in the 2020 Official
2 Edition, is hereby amended by inserting after section 17R the following section:-

3 Section 17S. Any coverage offered by the commission to an active or retired employee of
4 the commonwealth insured under the group insurance commission shall provide coverage for the
5 appropriate weight-based dosage of epinephrine injectors. The benefits in this section shall not
6 be subject to any greater deductible, coinsurance, copayments, or out-of-pocket limits than any
7 other benefit provided by the commission. For purposes of this section the term “epinephrine
8 injector” shall mean an auto-injector approved by the federal Food and Drug Administration for
9 the administration of epinephrine and a pre-filled syringe approved by the federal Food and Drug

10 Administration and used for the administration of epinephrine that contains a pre-measured dose
11 of epinephrine that is equivalent to the dosages used in an auto-injector.

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

14 Section 10O. The division and its contracted health insurers, health plans, health
15 maintenance organizations, behavioral health management firms, and third-party administrators
16 under contract to a Medicaid-managed care organization or primary care clinician plan shall
17 provide coverage for the appropriate weight-based dosage of epinephrine injectors. An
18 epinephrine injector prescribed in this section shall not be subject to any greater deductible,
19 coinsurance, copayments, or out-of-pocket limits than any other prescribed drugs provided by the
20 division. For purposes of this section the term “epinephrine injector” shall mean an auto-injector
21 approved by the federal Food and Drug Administration for the administration of epinephrine and
22 a pre-filled syringe approved by the federal Food and Drug Administration and used for the
23 administration of epinephrine that contains a pre-measured dose of epinephrine that is equivalent
24 to the dosages used in an auto-injector.

25 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after
26 section 47NN the following section:-

27 Section 47OO. Any individual policy of accident or sickness insurance issued pursuant to
28 this chapter shall provide coverage for the appropriate weight-based dosage of epinephrine
29 injectors. An epinephrine injector prescribed in this section shall not be subject to any greater
30 deductible, coinsurance, copayments, or out-of-pocket limits than any other prescribed drug
31 provided by the insurer. For purposes of this section the term “epinephrine injector” shall mean

32 an auto-injector approved by the federal Food and Drug Administration for the administration of
33 epinephrine and a pre-filled syringe approved by the federal Food and Drug Administration and
34 used for the administration of epinephrine that contains a pre-measured dose of epinephrine that
35 is equivalent to the dosages used in an auto-injector.

36 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
37 section 800 the following section:-

38 Section 8PP. Any contract between a subscriber and the corporation under an individual
39 group or hospital service plan that is delivered, issued, or renewed within the commonwealth
40 shall provide coverage for the appropriate weight-based dosage of epinephrine injectors. An
41 epinephrine injector prescribed in this section shall not be subject to any greater deductible,
42 coinsurance, copayments, or out-of-pocket limits than any other prescribed drug provided by the
43 insurer. For purposes of this section the term “epinephrine injector” shall mean an auto-injector
44 approved by the federal Food and Drug Administration for the administration of epinephrine and
45 a pre-filled syringe approved by the federal Food and Drug Administration and used for the
46 administration of epinephrine that contains a pre-measured dose of epinephrine that is equivalent
47 to the dosages used in an auto-injector.

48 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
49 section 400 the following section:-

50 Section 4PP. Any subscription certificate under an individual or group medical service
51 agreement delivered, issued, or renewed within the commonwealth shall provide coverage for the
52 appropriate weight-based dosage of epinephrine injectors. An epinephrine injector prescribed in
53 this section shall not be subject to any greater deductible, coinsurance, copayments, or out-of-

54 pocket limits than any other prescribed drug provided by the insurer. For purposes of this section
55 the term “epinephrine injector” shall mean an auto-injector approved by the federal Food and
56 Drug Administration for the administration of epinephrine and a pre-filled syringe approved by
57 the federal Food and Drug Administration and used for the administration of epinephrine that
58 contains a pre-measured dose of epinephrine that is equivalent to the dosages used in an auto-
59 injector.

60 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
61 section 4GG the following section:-

62 Section 4HH. Any individual or group health maintenance contract shall provide
63 coverage for the appropriate weight-based dosage of epinephrine injectors. An epinephrine
64 injector prescribed in this section shall not be subject to any greater deductible, coinsurance,
65 copayments, or out-of-pocket limits than any other prescribed drug provided by the commission.
66 For purposes of this section the term “epinephrine injector” shall mean an auto-injector approved
67 by the federal Food and Drug Administration for the administration of epinephrine and a pre-
68 filled syringe approved by the federal Food and Drug Administration and used for the
69 administration of epinephrine that contains a pre-measured dose of epinephrine that is equivalent
70 to the dosages used in an auto-injector.