HOUSE DOCKET, NO. 2381 FILED ON: 1/19/2023

HOUSE . . . . . No. 939

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser

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 update mental health parity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Ruth B. Balser	*12th Middlesex*	*1/19/2023*

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HOUSE . . . . . No. 939

By Representative Balser of Newton, a petition (accompanied by bill, House, No. 939) of Ruth B. Balser for legislation to update the mental health insurance parity law. Financial Services.

The Commonwealth of Massachusetts

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

An Act to update mental health parity.

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. Section 22 of chapter 32A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The commission shall provide to any active or retired employee of the commonwealth who is insured under the group insurance commission coverage on a nondiscriminatory basis for the diagnosis and medically necessary treatment of any mental disorder including autism spectrum disorder, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most current version of the International Classification of Diseases (ICD).

SECTION 2. Said section 22 of said chapter 32A, as so appearing, is hereby further amended by striking out subsections (b) and (e).

SECTION 3. Section 47B of chapter 175 of the General Laws, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) Section 47B. (a) An individual policy of accident and sickness insurance issued pursuant to section 108, which provides hospital expense and surgical expense insurance, and a group blanket or general policy of accident and sickness insurance issued pursuant to section 110, which provides hospital expense and surgical expense insurance, which is issued or renewed within or without the commonwealth, shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all policyholders having a principal place of employment in the commonwealth coverage on a nondiscriminatory basis for the diagnosis and medically necessary treatment of any mental disorder including autism spectrum disorder, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most current version of the International Classification of Diseases (ICD).

SECTION 4. Said section 47B of said chapter 175, as so appearing, is hereby further amended by striking out subsections (b) and (e).

SECTION 5. Section 8A of chapter 176A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

Section 8A. (a) A contract between a subscriber and the corporation under an individual or group hospital service plan which is issued or renewed within or without the commonwealth shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all individual subscribers and members and group members having a

principal place of employment in the commonwealth for the diagnosis and medically necessary treatment of any mental disorder including autism spectrum disorder, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most current version of the International Classification of Diseases (ICD).

SECTION 6. Section 8A of chapter 176A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out subsections (b) and (e).

SECTION 7. Section 4A of chapter 176B of the General Laws, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) A subscription certificate under an individual or group medical service agreement which is issued or renewed within or without the commonwealth shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment in the commonwealth for the diagnosis and medically necessary treatment of any mental disorder including autism spectrum disorder, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most current version of the International Classification of Diseases (ICD).

SECTION 8. Section 4A of chapter 176B of the General Laws, as so appearing, is hereby amended by striking out subsections (b) and (e).

SECTION 9. Section 4M of said chapter 176G, as so appearing, is hereby further amended by striking out subsection (a) and inserting in place thereof the following subsection:—

(a) A health maintenance contract issued or renewed within or without the commonwealth shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all members or enrollees having a principal place of employment in the commonwealth for the diagnosis and medically necessary treatment of any mental disorder including autism spectrum disorder, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) or the most current version of the International Classification of Diseases (ICD)

SECTION 10. Section 4M of said chapter 176G, as so appearing, is hereby further amended by striking out subsection (b) and (e).

SECTION 11. All policies, contracts and certificates of health insurance subject to section 22 of chapter 32A, section 47B of chapter 175, section 8A of chapter 176A, section 4A of chapter 176B, or section 4M of chapter 176G of the General Laws that are delivered, issued or renewed on or after July 1, 2024 shall conform with this act. Form filings implementing this act shall be subject to the approval of the commissioner of insurance.