

SENATE No. 2970

The Commonwealth of Massachusetts

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

SENATE, October 24, 2024.

The committee on Senate Ways and Means to whom was referred the Senate Bill relative to applied behavioral analysis therapy (Senate, No. 617), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2970).

For the committee,
Michael J. Rodrigues

SENATE No. 2970

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

An Act relative to applied behavioral analysis therapy.

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

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

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

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

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

20 Section 47AA1/2. For purposes of this section, “Down syndrome” shall mean a
21 chromosomal condition caused by an error in cell division that results in the presence of an extra
22 whole or partial copy of chromosome 21. Any policy, contract, agreement, plan or certificate of
23 insurance issued, delivered or renewed within the commonwealth, which is considered creditable
24 coverage under section 1 of chapter 111M, shall provide coverage for the treatment of Down
25 syndrome through speech therapy, occupational therapy, physical therapy and applied behavior
26 analysis services.

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

29 Section 8DD1/2. For purposes of this section, “Down syndrome” shall mean a
30 chromosomal condition caused by an error in cell division that results in the presence of an extra
31 whole or partial copy of chromosome 21. Any contract between a subscriber and the corporation
32 under an individual or group hospital service plan that is delivered, issued or renewed within the
33 commonwealth shall provide coverage for the treatment of Down syndrome through speech
34 therapy, occupational therapy, physical therapy and applied behavior analysis services.

35 SECTION 5. Chapter 176B of the General laws is hereby amended by inserting after
36 section 4DD the following section:-

37 Section 4DD1/2. For purposes of this section, “Down syndrome” shall mean a
38 chromosomal condition caused by an error in cell division that results in the presence of an extra
39 whole or partial copy of chromosome 21. A subscription certificate under an individual or group
40 medical service agreement delivered, issued or renewed within the commonwealth shall provide
41 coverage for the treatment of Down syndrome through speech therapy, occupational therapy,
42 physical therapy and applied behavior analysis services.

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

45 Section 4V1/2. For purposes of this section, “Down syndrome” shall mean a
46 chromosomal condition caused by an error in cell division that results in the presence of an extra
47 whole or partial copy of chromosome 21. An individual or group health maintenance contract
48 that is issued or renewed in the commonwealth shall provide coverage for the treatment of Down
49 syndrome through speech therapy, occupational therapy, physical therapy and applied behavior
50 analysis services.

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