SENATE No. 615

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 ensuring treatment for genetic craniofacial conditions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Julian Cyr	Cape and Islands	
Joanne M. Comerford	Hampshire, Franklin and Worcester	2/22/2023
Adam Gomez	Hampden	2/22/2023
Brian W. Murray	10th Worcester	2/22/2023
Jacob R. Oliveira	Hampden, Hampshire and Worcester	3/23/2023
John F. Keenan	Norfolk and Plymouth	9/26/2023

SENATE DOCKET, NO. 369 FILED ON: 1/13/2023

SENATE No. 615

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 615) of Julian Cyr, Joanne M. Comerford, Adam Gomez and Brian W. Murray for legislation relative to ensuring treatment for genetic craniofacial conditions. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION SEE SENATE, NO. 648 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to ensuring treatment for genetic craniofacial conditions.

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 17Q the following section:-

3 Section 17R. 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 5 medically necessary functional repair or restoration of craniofacial disorders, with the exception 6 of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to 7 improve the function of, or to approximate the normal appearance or any abnormal structures 8 caused by congenital disease of anomaly. Coverage under this section shall include the necessary 9 care and treatment of medically diagnosed congenital disease or anomaly. Including, but not 10 limited to, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta. Coverage

shall not include cosmetic surgery or for dental or orthodontic treatment unrelated to congenital
disease or anomaly. The benefits in this section shall not be subject to any greater deductible,
coinsurance, copayments or out-of-pocket limits than any other benefit provided by the
commission.

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

17 Section 10M. The division shall provide coverage for medically necessary functional 18 repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and 19 cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to 20 approximate the normal appearance of any abnormal structures caused by congenital disease or 21 anomaly. Coverage under this section shall include the necessary care and treatment of medically 22 diagnosed congenital disease or anomaly, including ectodermal dysplasia, dentinogenesis 23 imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or for 24 dental or orthodontic treatment unrelated to congenital disease or anomaly. The benefits in this 25 section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket 26 limits than any other benefit provided by the division.

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

29 Section 47LL. The following shall provide coverage for medically necessary functional 30 repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and 31 cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to 32 approximate the normal appearance of any abnormal structures caused by congenital disease or

33 anomaly. Coverage under this section shall include the necessary care and treatment of medically 34 diagnosed congenital disease or anomaly, including ectodermal dysplasia, dentinogenesis 35 imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or dental 36 or orthodontic treatment unrelated to congenital disease or anomaly .: (i) any policy of accident 37 and sickness insurance, as described in section 108, which provides hospital expense and 38 surgical expense insurance and which is delivered, issued or subsequently renewed by agreement 39 between the insurer and policyholder in the commonwealth; (ii) any blanket or general policy of 40 insurance described in subdivision (A), (C) or (D) of section 110 which provides hospital 41 expense and surgical expense insurance and which is delivered, issued or subsequently renewed 42 by agreement between the insurer and the policyholder in or outside of the commonwealth; or 43 (iii) any employees' health and welfare fund which provides hospital expense and surgical 44 expense benefits and which is delivered, issued or renewed to any person or group of persons in 45 the commonwealth. The benefits in this section shall not be subject to any greater deductible, 46 coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

47 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after 48 section 8MM, the following section:-

49 Section 800. Any contract between a subscriber and the corporation under an individual 50 or group hospital service plan which is delivered, issued or renewed within the commonwealth 51 shall provide coverage for medically necessary functional repair or restoration of craniofacial 52 disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed 53 elsewhere in the General Laws, to improve the function of, or to approximate the normal 54 appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under 55 this section shall include the necessary care and treatment of medically diagnosed congenital

disease or anomaly, including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to congenital disease or anomaly. The benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

61 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
 62 section 4MM the following section:-

63 Section 400. Any subscription certificate under an individual or group medical service 64 agreement delivered, issued or renewed within the commonwealth shall provide coverage for 65 medically necessary functional repair or restoration of craniofacial disorders; with the exception 66 of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to 67 improve the function of, or to approximate the normal appearance of any abnormal structures 68 caused by disease or anomaly. Coverage under this section shall include the necessary care and 69 treatment of medically diagnosed congenital disease or anomaly, including, ectodermal 70 dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall not include 71 cosmetic surgery or dental or orthodontic treatment unrelated to congenital disease or anomaly. 72 The benefits in this section shall not be subject to any greater deductible, coinsurance, 73 copayments or out-of-pocket limits than any other benefit provided by the insurer. 74 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after 75 section 4EE the following section:-

Section 4FF. Any individual or group health maintenance contract shall provide coverage
for medically necessary functional repair or restoration of craniofacial disorders; with the

78 exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General 79 Laws, to improve the function of, or to approximate the normal appearance of any abnormal 80 structures caused by congenital disease or anomaly. Coverage under this section shall include the 81 necessary care and treatment of medically diagnosed congenital disease or anomaly, including, 82 ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. Coverage shall 83 not include cosmetic surgery or dental or orthodontic treatment unrelated to congenital disease or 84 anomaly. The benefits in this section shall not be subject to any greater deductible, coinsurance, 85 copayments or out-of-pocket limits than any other benefit provided by the insurer.

86 SECTION 7. Chapter 176I of the General Laws, as so appearing, is hereby amended by 87 inserting after section 12 the following section:-

88 Section 13. An organization entering into a preferred provider contract shall provide 89 coverage for medically necessary functional repair or restoration of craniofacial disorders; with 90 the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the 91 General Laws, to improve the function of, or to approximate the normal appearance of any 92 abnormal structures caused by congenital disease or anomaly. Coverage under this section shall 93 include the necessary care and treatment of medically diagnosed congenital disease or anomaly, 94 including, ectodermal dysplasia, dentinogenesis imperfecta, and amelogenesis imperfecta. 95 Coverage shall not include cosmetic surgery or dental or orthodontic treatment unrelated to 96 congenital defects, developmental deformities, trauma, tumors, infections or disease. The 97 benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or 98 out-of-pocket limits than any other benefit provided by the insurer.

99	SECTION 8. This act shall apply to all policies, contracts and certificates of health
100	insurance subject to chapters 32A, 118E, 175, 176A, 176B, 176G and 176I, of the General Laws,
101	as so appearing, issued or renewed, except any entity to the extent it offers a policy, certificate or
102	contract that provides coverage for dental care services or vision care services.