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

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:

SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after section 17Q the following section:-

Section 17R. Any coverage offered by the commission to an active or retired employee of the commonwealth insured under the group insurance commission shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders, with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance or any abnormal structures caused by congenital disease of anomaly. Coverage under this section shall include the necessary care and treatment of medically diagnosed congenital disease or anomaly. Including, but not 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:-

Section 10M. The division shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under 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 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 division.

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

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

anomaly. Coverage under 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.: (i) any policy of accident and sickness insurance, as described in section 108, which provides hospital expense and surgical expense insurance and which is delivered, issued or subsequently renewed by agreement between the insurer and policyholder in the commonwealth; (ii) any blanket or general policy of insurance described in subdivision (A), (C) or (D) of section 110 which provides hospital expense and surgical expense insurance and which is delivered, issued or subsequently renewed by agreement between the insurer and the policyholder in or outside of the commonwealth; or (iii) any employees' health and welfare fund which provides hospital expense and surgical expense benefits and which is delivered, issued or renewed to any person or group of persons in the commonwealth. 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.

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

Section 8OO. Any contract between a subscriber and the corporation under an individual or group hospital service plan which is delivered, issued or renewed within the commonwealth shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under 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.

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

Section 4OO. Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed within the commonwealth shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by disease or anomaly. Coverage under 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.

SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after 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

exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under 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.

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

Section 13. An organization entering into a preferred provider contract shall provide coverage for medically necessary functional repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to approximate the normal appearance of any abnormal structures caused by congenital disease or anomaly. Coverage under 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 defects, developmental deformities, trauma, tumors, infections or disease. 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.

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