SENATE DOCKET, NO. 1132 FILED ON: 1/18/2023

SENATE . . . . . No. 646

The Commonwealth of Massachusetts

PRESENTED BY:

Cindy F. Friedman

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 ensuring access to full spectrum pregnancy care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Cindy F. Friedman	*Fourth Middlesex*	
Jack Patrick Lewis	*7th Middlesex*	*1/24/2023*
Paul W. Mark	*Berkshire, Hampden, Franklin and Hampshire*	*1/24/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*1/24/2023*
Susannah M. Whipps	*2nd Franklin*	*1/24/2023*
Carmine Lawrence Gentile	*13th Middlesex*	*1/30/2023*
Jason M. Lewis	*Fifth Middlesex*	*1/31/2023*
Mark C. Montigny	*Second Bristol and Plymouth*	*1/31/2023*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*1/31/2023*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*2/2/2023*
Thomas M. Stanley	*9th Middlesex*	*2/3/2023*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/3/2023*
Sean Garballey	*23rd Middlesex*	*2/8/2023*
James B. Eldridge	*Middlesex and Worcester*	*2/21/2023*
Patricia D. Jehlen	*Second Middlesex*	*3/2/2023*
Joan B. Lovely	*Second Essex*	*4/12/2023*
Edward J. Kennedy	*First Middlesex*	*4/24/2023*

Lydia Edwards	*Third Suffolk*	*5/31/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*7/5/2023*
Manny Cruz	*7th Essex*	*12/11/2023*
Pavel Payano	*First Essex*	*1/30/2024*

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By Ms. Friedman, a petition (accompanied by bill, Senate, No. 646) of Cindy F. Friedman, Jack Patrick Lewis, Paul W. Mark, Lindsay N. Sabadosa and other members of the General Court for legislation to ensure access to full spectrum pregnancy care. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *673* OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act ensuring access to full spectrum pregnancy care.

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 17C of chapter 32A of the General Laws, as most recently amended by section 8 of chapter 127 of the acts of 2022, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

Coverage provided under this section shall not be subject to any deductible, coinsurance, copayment or any other cost-sharing requirement; provided, however, that deductibles, coinsurance or copayments shall be required if the applicable plan is governed by the federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on deductibles, coinsurance or copayments for these services. Coverage offered under this section shall not impose unreasonable restrictions or delays in the coverage.

10 SECTION 2. Said section 17C of said chapter 32A, as most recently amended by section
11 8 of chapter 127, is hereby further amended by adding the following sentence:-

12 The commission shall ensure plan compliance with this section.

13 SECTION 3. Section 10A of chapter 118E of the General Laws, as most recently
14 amended by section 19 of chapter 127 of the acts of 2022, is hereby amended by adding the
15 following paragraphs:-

16 Nothing in this section shall be construed to deny or restrict the division's authority to
17 ensure its contracted health insurers, health plans, health maintenance organizations, behavioral
18 health management firms and third-party administrators under contract to a Medicaid managed
19 care organization or primary care clinician plan are in compliance with this chapter.

20 The division shall ensure plan compliance with this chapter.

21 SECTION 4. Section 47F of chapter 175 of the General Laws, as most recently amended
22 by section 22 of chapter 127 of the acts of 2022, is hereby amended by striking out the fourth
23 paragraph and inserting in place thereof the following paragraph:-

24 Coverage provided under this section shall not be subject to any deductible, coinsurance,
25 copayment or any other cost-sharing requirement; provided, however, that deductibles,
26 coinsurance or copayments shall be required if the applicable plan is governed by the federal
27 Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on
28 deductibles, coinsurance or copayments for these services. Coverage offered under this section
29 shall not impose unreasonable restrictions or delays in the coverage.

30 SECTION 5. Said section 47F of said chapter 175, as recently amended by section 22 of
31 chapter 127 of the acts of 2022, is hereby further amended by adding the following sentence:-

32 The commissioner shall ensure plan compliance with this section.

33 SECTION 6. Section 8H of chapter 176A of the General Laws, as most recently amended
34 by section 26 of chapter 127 of the acts of 2022, is hereby amended by striking out the fourth
35 paragraph and inserting in place thereof the following paragraph:-

36 Coverage provided under this section shall not be subject to any deductible, coinsurance,
37 copayment or any other cost-sharing requirement; provided, however, that deductibles,
38 coinsurance or copayments shall be required if the applicable plan is governed by the federal
39 Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on
40 deductibles, coinsurance or copayments for these services. Coverage offered under this section
41 shall not impose unreasonable restrictions or delays in the coverage.

42 SECTION 7. Said section 8H of said chapter 176A, as most recently amended by section
43 26 of chapter 127 of the acts of 2022, is hereby further amended by adding the following
44 sentence:-

45 The commissioner shall ensure plan compliance with this section.

46 SECTION 8. Section 4H of chapter 176B of the General Laws, as most recently amended
47 by section 29 of chapter 127 of the acts of 2022, is hereby amended by striking out the fourth
48 paragraph and inserting in place thereof the following paragraph:-

49 Coverage provided under this section shall not be subject to any deductible, coinsurance,
50 copayment or any other cost-sharing requirement; provided, however, that deductibles,

51 coinsurance or copayments shall be required if the applicable plan is governed by the federal
52 Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on
53 deductibles, coinsurance or copayments for these services. Coverage offered under this section
54 shall not impose unreasonable restrictions or delays in the coverage.

55 SECTION 9. Said section 4H of said chapter 176B, as most recently amended by section
56 29 of chapter 127 of the acts of 2022, is hereby further amended by adding the following
57 sentence:-

58 The commissioner shall ensure plan compliance with this section.

59 SECTION 10. Section 4I of chapter 176G of the General Laws, as most recently
60 amended by section 31 of chapter 127 of the acts of 2022, is hereby amended by striking out the
61 third paragraph and inserting in place thereof the following paragraph:-

62 Coverage provided under this section shall not be subject to any deductible, coinsurance,
63 copayment or any other cost-sharing requirement; provided, however, that deductibles,
64 coinsurance or copayments shall be required if the applicable plan is governed by the federal
65 Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on
66 deductibles, coinsurance or copayments for these services. Coverage offered under this section
67 shall not impose unreasonable restrictions or delays in the coverage.

68 SECTION 11. Said section 4I of said chapter 176G, as most recently amended by section
69 31 of chapter 127 of the acts of 2022, is hereby amended by adding the following sentence:-

70 The commissioner shall ensure plan compliance with this section.

71 SECTION 12. Sections 1 to 11, inclusive, shall apply to all policies, contracts and

72 certificates of health insurance subject to chapters 32A, 118E, 175, 176A, 176B and 176G of the

73 General Laws that are delivered, issued or renewed 6 months from the effective date of this act.