

SENATE No. 659

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 removing barriers to non-opioid pain management.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/6/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/23/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/8/2023</i>

SENATE No. 659

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 659) of John F. Keenan and James B. Eldridge for legislation to remove barriers to non-opioid pain management. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 687 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to removing barriers to non-opioid pain management.

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. Section 47KK of Chapter 175 of the General Laws, as appearing in the
2 2020 Official Edition, is hereby amended by adding in subsection (a) the following paragraph:-

3 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
4 renewed within the Commonwealth, which is considered creditable coverage under this section,
5 shall not require a member to obtain a preauthorization for alternative pain management services
6 identified by the carrier as necessary to comply with said guidelines developed by the division of
7 insurance.

8 SECTION 2. Section 47KK is hereby further amended by striking out subsection (c), and
9 inserting in place thereof the following subsection:-

10 (c) Carriers shall annually distribute educational materials to providers and members
11 within their networks about the pain management access plan and make information about their
12 plans publicly available on their websites.

13 SECTION 3. Section 8MM of Chapter 176A is hereby amended by adding in subsection
14 (a) the following paragraph:-

15 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
16 renewed within the Commonwealth, which is considered creditable coverage under this section,
17 shall not require a member to obtain a preauthorization for alternative pain management services
18 identified by the carrier as necessary to comply with said guidelines developed by the division of
19 insurance.

20 SECTION 4. Section 8MM of Chapter 176A is hereby further amended by striking out
21 subsection (c), and inserting in place thereof the following subsection:-

22 (c) Carriers shall annually distribute educational materials to providers and members
23 within their networks about the pain management access plan and make information about their
24 plans publicly available on their websites.

25 SECTION 5. Section 4MM of Chapter 176B is hereby amended by adding in subsection
26 (a) the following paragraph:-

27 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
28 renewed within the Commonwealth, which is considered creditable coverage under this section,
29 shall not require a member to obtain a preauthorization for alternative pain management services

30 identified by the carrier as necessary to comply with said guidelines developed by the division of
31 insurance.

32 SECTION 6. Section 4MM of Chapter 176B is hereby further amended by striking out
33 subsection (c), and inserting in place thereof the following subsection:-

34 (c) Carriers shall annually distribute educational materials to providers and members
35 within their networks about the pain management access plan and make information about their
36 plans publicly available on their websites.

37 SECTION 7. Section 4EE of Chapter 176G is hereby amended by adding in subsection
38 (a) the following paragraph:-

39 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
40 renewed within the commonwealth, which is considered creditable coverage under this section,
41 shall not require a member to obtain a preauthorization for alternative pain management services
42 identified by the carrier as necessary to comply with said guidelines developed by the division of
43 insurance.

44 SECTION 8. Section 4EE of Chapter 176G is hereby further amended by striking out
45 subsection (c), and inserting in place thereof the following subsection:-

46 (c) Carriers shall annually distribute educational materials to providers and members
47 within their networks about the pain management access plan and make information about their
48 plans publicly available on their websites.