

SENATE No. 679

The Commonwealth of Massachusetts

PRESENTED BY:

Liz Miranda

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 protecting reproductive destiny.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------|-----------------------|-----------------|
| <i>Liz Miranda</i> | <i>Second Suffolk</i> | |
| <i>Susannah M. Whipps</i> | <i>2nd Franklin</i> | <i>2/8/2023</i> |

SENATE No. 679

By Ms. Miranda, a petition (accompanied by bill, Senate, No. 679) of Liz Miranda and Susannah M. Whipps for legislation relative to protecting reproductive destiny. Financial Services.

The Commonwealth of Massachusetts

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

An Act relative to protecting reproductive destiny.

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 12W of said chapter 112, as so appearing, is hereby amended by
2 inserting after the first paragraph the following:-

3 Whenever any physician has reason to believe a person eighteen years or over is unable
4 to give informed consent, including when a person is in a state institution or under guardianship
5 under chapter 190B of the General Laws, no such sterilization shall be performed.

6 SECTION 2. Chapter 118E of the General Laws, as so appearing, is hereby amended by
7 inserting at the end of Section 10N the following new Section:-

8 Section 10O. Expanded Medicaid Coverage for Voluntary Female Sterilization

9 (1) For purposes of this section, the following words shall have the following meanings:

10 “Decision Counseling”, a counseling model for providers to ensure patients are fully
11 informed about the implications and permanency of sterilization.

12 "Informed written consent", a written consent form for the requested provision of
13 voluntary female sterilization.

14 "Voluntary Female Sterilization", any medical procedure, treatment, or operation for the
15 purpose of rendering an individual permanently incapable of reproducing performed at the
16 request of the individual.

17 (2) Coverage of Voluntary Female Sterilization Services:

18 The division and its contracted health insurers, health plans, health maintenance
19 organizations, behavioral health management firms and third-party administrators under contract
20 to a Medicaid managed care organization or primary care clinician plan shall provide coverage
21 for voluntary female sterilization even in the event that an individual covered by a Medicaid
22 managed care organization or primary care clinician plan has not fulfilled the federally required
23 30-day waiting period provided that the individual has completed Decision Counseling and
24 signed an informed written consent.