

HOUSE No. 4162

The Commonwealth of Massachusetts

PRESENTED BY:

Rob Consalvo

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 to increase access to healthcare for ostomy patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>1/16/2025</i>
<i>John J. Marsi</i>	<i>6th Worcester</i>	<i>9/25/2025</i>
<i>Estela A. Reyes</i>	<i>4th Essex</i>	<i>9/25/2025</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>10/14/2025</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>10/14/2025</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>10/14/2025</i>
<i>Michelle L. Badger</i>	<i>1st Plymouth</i>	<i>10/14/2025</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>10/14/2025</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>10/20/2025</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>10/20/2025</i>
<i>Richard G. Wells, Jr.</i>	<i>7th Norfolk</i>	<i>10/22/2025</i>
<i>Joshua Tarsky</i>	<i>13th Norfolk</i>	<i>10/28/2025</i>

HOUSE No. 4162

By Representative Consalvo of Boston, a petition (accompanied by bill, House, No. 4162) of Rob Consalvo relative to insurance coverage for healthcare for ostomy patients. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to increase access to healthcare for ostomy patients.

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 17W the following section:-

3 Section 17X. (a) The commission shall provide to any person who is insured under the
4 group insurance commission coverage of all medical supplies for management of surgically
5 created or spontaneous fistulas and coverage of supplies related to ostomy care. The commission
6 shall not require the use of non-medical supplies for a patient to receive coverage under this
7 section. The commission shall make publicly available information about its coverage of
8 supplies related to ostomy care.

9 (b) If a person obtains new health insurance coverage, information about the person’s
10 ostomy care, patient history and prescriptions shall be transferred to the new insurer within 72
11 hours for continuity of care. Ostomy supply orders and shipments shall not be delayed during the
12 transition period.

13 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
14 not less than the Medicare reimbursement rate.

15 SECTION 2. Chapter 111 of the General Laws is hereby amended by inserting after
16 section 51M the following section:-

17 Section 51N. Any acute-care hospital licensed pursuant to this chapter that performs
18 ostomy surgery shall employ and have access to certified healthcare professionals who specialize
19 in ostomy care. The acute-care hospital shall ensure ongoing follow-up care offers ostomy care
20 in an outpatient setting, as appropriate, with certified healthcare professionals who specialize in
21 ostomy care.

22 SECTION 3. Chapter 112 of the General Laws is hereby amended by inserting after
23 section 12D the following section:-

24 Section 12D½. (a) A prescription issued in the commonwealth by a physician licensed
25 pursuant to this chapter for supplies related to an ostomy shall be valid for at least 1 year without
26 disruption in fulfillment and coverage for the duration of the prescription.

27 (b) Notwithstanding any general or special law to the contrary, a physician may prescribe
28 supplies related to ostomy care in a quantity exceeding any limit imposed by law, regulation,
29 rule, guidance or insurance policy if the physician determines that it is necessary and expedient
30 for patient care.

31 (c) Fulfillment of prescriptions related to ostomy supplies shall not be delayed by any
32 approval or appeal process.

33 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
34 notification of prescription expiration to both patients and their prescribers.

35 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
36 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
37 their intention to substitute ostomy supply brands or products, also known as non-medical
38 switching. Notification by mail shall include samples of the proposed product substitution for the
39 patient to try. If a substitute product fails to meet or exceed the quality of the original and
40 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
41 their original product or shall receive a product that matches the quality of the original.

42 SECTION 4. Chapter 118E of the General Laws is hereby amended by inserting after
43 section 10W the following section:-

44 Section 10X. (a) The division and its contracted health insurers, health plans, health
45 maintenance organizations, behavioral health management firms and third-party administrators
46 under contract to a Medicaid managed care organization or primary care clinician plan shall
47 provide coverage of all medical supplies for management of surgically created or spontaneous
48 fistulas and coverage of supplies related to ostomy care. The division shall not require the use of
49 non-medical supplies for a patient to receive coverage under this section. The division shall
50 make publicly available information about its coverage of supplies related to ostomy care.

51 (b) If a person obtains new health insurance coverage, information about the person's
52 ostomy care and patient history shall be transferred to the new insurer within 72 hours for
53 continuity of care. Ostomy supply orders and shipments shall not be delayed during the transition
54 period.

55 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
56 not less than the Medicare reimbursement rate.

57 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
58 notification of prescription expiration to both patients and their prescribers.

59 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
60 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
61 their intention to substitute ostomy supply brands or products, also known as non-medical
62 switching. Notification by mail shall include samples of the proposed product substitution for the
63 patient to try. If a substitute product fails to meet or exceed the quality of the original and
64 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
65 their original product or shall receive a product that matches the quality of the original.

66 SECTION 5. Chapter 175 of the General Laws is hereby amended by inserting after
67 section 47ZZ the following section:-

68 Section 47AAA. (a) A policy, contract, agreement, plan or certificate of insurance issued,
69 delivered or renewed within or without the commonwealth, which is considered creditable
70 coverage under section 1 of chapter 111M, shall provide coverage of all medical supplies for
71 management of surgically created or spontaneous fistulas and coverage of supplies related to
72 ostomy care including ostomy-related medical or physiological complications. The policy,
73 contract, agreement, plan or certificate of insurance shall not require the use of non-medical
74 supplies for a patient to receive coverage under this section, and shall make publicly available
75 information about its coverage of supplies related to ostomy care.

76 (b) If a person obtains new health insurance coverage, information about the person's
77 ostomy care and patient history shall be transferred to the new insurer within 72 hours for
78 continuity of care. Ostomy supply orders and shipments shall not be delayed during the transition
79 period.

80 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
81 not less than the Medicare reimbursement rate.

82 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
83 notification of prescription expiration to both patients and their prescribers.

84 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
85 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
86 their intention to substitute ostomy supply brands or products, also known as non-medical
87 switching. Notification by mail shall include samples of the proposed product substitution for the
88 patient to try. If a substitute product fails to meet or exceed the quality of the original and
89 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
90 their original product or shall receive a product that matches the quality of the original.

91 SECTION 6. Chapter 176A of the General Laws is hereby amended by inserting after
92 section 8AAA the following section:-

93 Section 8BBB. (a) A contract, except contracts providing supplemental coverage to
94 Medicare or other governmental programs, between a subscriber and the corporation under an
95 individual or group hospital service plan that is delivered, issued or renewed in the
96 commonwealth shall provide as benefits to all individual subscribers or members within the
97 commonwealth, and to all group members having a principal place of employment within the

98 commonwealth, coverage of all medical supplies for management of surgically created or
99 spontaneous fistulas and coverage of supplies related to ostomy care including ostomy-related
100 medical or physiological complications. The contract shall not require the use of non-medical
101 supplies for a patient to receive coverage under this section. The corporation shall make publicly
102 available information about its coverage of supplies related to ostomy care.

103 (b) If a person obtains new health insurance coverage, information about the person's
104 ostomy care and patient history shall be transferred to the new insurer within 72 hours for
105 continuity of care. Ostomy supply orders and shipments shall not be delayed during the transition
106 period.

107 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
108 not less than the Medicare reimbursement rate.

109 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
110 notification of prescription expiration to both patients and their prescribers.

111 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
112 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
113 their intention to substitute ostomy supply brands or products, also known as non-medical
114 switching. Notification by mail shall include samples of the proposed product substitution for the
115 patient to try. If a substitute product fails to meet or exceed the quality of the original and
116 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
117 their original product or shall receive a product that matches the quality of the original.

118 SECTION 7. Chapter 176B of the General Laws is hereby amended by inserting after
119 section 4AAA the following section:-

120 Section 4BBB. (a) A subscription certificate under an individual or group medical service
121 agreement delivered, issued or renewed within the commonwealth shall provide coverage of all
122 medical supplies for management of surgically created or spontaneous fistulas and coverage of
123 supplies related to ostomy care. The subscription certificate shall not require the use of non-
124 medical supplies for a patient to receive coverage under this section. The medical service
125 corporation shall make publicly available information about its coverage of supplies related to
126 ostomy care.

127 (b) If a person obtains new health insurance coverage, information about the person's
128 ostomy care and patient history shall be transferred to the new insurer within 72 hours for
129 continuity of care. Ostomy supply orders and shipments shall not be delayed during the transition
130 period.

131 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
132 not less than the Medicare reimbursement rate.

133 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
134 notification of prescription expiration to both patients and their prescribers.

135 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
136 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
137 their intention to substitute ostomy supply brands or products, also known as non-medical
138 switching. Notification by mail shall include samples of the proposed product substitution for the
139 patient to try. If a substitute product fails to meet or exceed the quality of the original and
140 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
141 their original product or shall receive a product that matches the quality of the original.

142 SECTION 8. Chapter 176G of the General Laws is hereby amended by inserting after
143 section 4SS the following section:-

144 Section 4TT. (a) An individual or group health maintenance contract, except contracts
145 providing supplemental coverage to Medicare or other governmental programs, that is issued or
146 renewed within the commonwealth shall provide coverage and benefits of all medical supplies
147 for management of surgically created or spontaneous fistulas and coverage of supplies related to
148 ostomy care. The contract shall not require the use of non-medical supplies for a patient to
149 receive coverage under this section. The health maintenance organization shall make publicly
150 available information about its coverage of supplies related to ostomy care.

151 (b) If a person obtains new health insurance coverage, information about the person's
152 ostomy care and patient history shall be transferred to the new insurer within 72 hours for
153 continuity of care. Ostomy supply orders and shipments shall not be delayed during the transition
154 period.

155 (c) Healthcare payers shall reimburse suppliers of supplies related to ostomy care at a rate
156 not less than the Medicare reimbursement rate.

157 (d) Suppliers of ostomy supplies shall be required to provide 1 month's advanced
158 notification of prescription expiration to both patients and their prescribers.

159 (e) Fulfillment of prescriptions related to ostomy supplies shall be dispensed as written.
160 Suppliers of ostomy supplies shall be required to provide 1 month's advanced notification of
161 their intention to substitute ostomy supply brands or products, also known as non-medical
162 switching. Notification by mail shall include samples of the proposed product substitution for the
163 patient to try. If a substitute product fails to meet or exceed the quality of the original and

164 thereby compromises the patient's ostomy care, the patient shall have the option of returning to
165 their original product or shall receive a product that matches the quality of the original.