

HOUSE No. 5022

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 5, 2026.

The committee on Financial Services, to whom was referred the petition (accompanied by bill, House, No. 1343) of Thomas P. Walsh and others for legislation to prohibit denials of certain payments for health care service, reports recommending that the accompanying bill (House, No. 5022) ought to pass.

For the committee,

JAMES M. MURPHY.

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

An Act relative to direct primary care.

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 adding at the end
2 thereof the following new section:-

3 Section 35. A carrier may not deny payment for any health care service covered under an
4 enrollee’s health plan based solely on the basis that the enrollee’s referral was made by a
5 provider who is not a member of the carrier’s provider network.

6 SECTION 2. Chapter 32B of the General Laws is hereby amended by adding at the end
7 thereof the following new section:-

8 Section 30. A carrier may not deny payment for any health care service covered under an
9 enrollee’s health plan based solely on the basis that the enrollee’s referral was made by a
10 provider who is not a member of the carrier’s provider network.

11 SECTION 3. Section 9 of chapter 94C of the General Laws, as appearing in the 2022
12 Official Edition, is hereby amended by striking the following words in lines 31-32 of paragraph
13 (b):- “in a single dose or in a quantity” and;

14 By striking in line 35 the words, “essential for the treatment of a patient” and adding the
15 words, “which is for a legitimate medical purpose by a practitioner acting in the usual course of
16 his professional practice.” and;

17 By striking in lines 35-39 the words, “The amount or quantity of any controlled substance
18 dispensed under this subsection shall not exceed the quantity of a controlled substance necessary
19 for the immediate and proper treatment of the patient until it is possible for the patient to have a
20 prescription filled by a pharmacy.”; and

21 By striking in lines 91-93 of paragraph (e) the lines “and shall be except from the
22 requirement that such dispensing be in a single dose or as necessary for immediate and proper
23 treatment under subsection (b).

24 SECTION 4. Section 19 of chapter 94C, as so appearing, shall be amended by inserting
25 in line 6 of paragraph (a) after the word “prescription”, “or practitioner who dispenses the
26 controlled substance.”

27 SECTION 5. Section 118E of the General Laws is hereby amended by adding after
28 section 13C the following new section:-

29 Section 13C½. A carrier may not deny payment for any health care service covered under
30 an enrollee’s health plan based solely on the basis that the enrollee’s referral was made by a
31 provider who is not a member of the carrier’s provider network

32 SECTION 6. Chapter 175 of the General Laws is hereby amended by adding before
33 section 47CCC the following new section:-

34 Section 47AAA. Any blanket or general policy of insurance described in subdivision (A),
35 (C), or (D) of section one hundred and ten which is issued or subsequently renewed by
36 agreement between the insurer and the policyholder, within or without the commonwealth,
37 during the period within which this premium is effective, or any policy of accident or sickness
38 insurance as described in section one hundred and eight which provides hospital expense and
39 surgical expense insurance and which is delivered or issued for delivery or subsequently renewed
40 by agreement between the insurer and the policyholder in the commonwealth, during the period
41 within which this provision is effective, or any employers' health and welfare fund which
42 provides hospital expense and surgical expense benefits and which is issued or renewed to any
43 person or group of persons in the commonwealth, during the period within which this provision
44 is effective, may not deny payment for any health care service covered under an enrollee's health
45 plan based solely on the basis that the enrollee's referral was made by a provider who is not a
46 member of the carrier's provider network

47 SECTION 7. Chapter 176A of the General Laws is hereby amended by adding after
48 section 38, the following new section:-

49 Section 39. A carrier may not deny payment for any health care service covered under an
50 enrollee's health plan based solely on the basis that the enrollee's referral was made by a
51 provider who is not a member of the carrier's provider network

52 SECTION 8. Chapter 176B of the General Laws, is hereby amended by inserting after
53 section 25, the following new section:-

54 Section 26. A carrier may not deny payment for any health care service covered under an
55 enrollee's health plan based solely on the basis that the enrollee's referral was made by a
56 provider who is not a member of the carrier's provider network

57 SECTION 9. Chapter 176G of the General Laws of the General Laws is hereby amended
58 by inserting after section 33, the following new section:-

59 Section 34. A carrier may not deny payment for any health care service covered under an
60 enrollee's health plan based solely on the basis that the enrollee's referral was made by a
61 provider who is not a member of the carrier's provider network

62 SECTION 10. Chapter 176I of the General Laws is hereby amended by adding after
63 section 13, the following new section:-

64 Section 14. A carrier may not deny payment for any health care service covered under an
65 enrollee's health plan based solely on the basis that the enrollee's referral was made by a
66 provider who is not a member of the carrier's provider network

67 SECTION 11. Sections 1-2 and 5-10 of this Act shall be effective for all contracts which
68 are entered into, renewed, or amended one year after its effective date.