

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 support behavioral health prevention for children.

PETITION OF:

NAME:

Patrick M. O'Connor

DISTRICT/ADDRESS:

First Plymouth and Norfolk

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act to support behavioral health prevention for children.

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 33 the following section:-

3 Section 34. (a) For the purpose of this section, the following term shall have the
4 following meaning:

5 “Preventive behavioral health services”, short-term interventions in supportive group,
6 individual, or family settings that cultivate coping skills and strategies for symptoms of
7 depression, anxiety, and other social and emotional concerns, which may prevent the
8 development of behavioral health conditions for members who are under 21 years old who have
9 a positive behavioral health screening, or, in the case of an infant, a caregiver with a positive
10 post-partum depression screening, even if the individual does not meet criteria for behavioral
11 health diagnosis.

12 (b)(1) Any coverage offered by the commission to an active or retired employee of the
13 commonwealth under the group insurance commission shall provide coverage for no fewer than

14 six sessions of preventive behavioral health services provided by a qualified licensed behavioral
15 health clinician, or a non-licensed clinician or trainee under supervision, without requiring prior
16 authorization. Coverage shall include individual, family and group sessions when delivered by a
17 behavioral health clinician practicing in an integrated pediatric primary care setting and group
18 sessions when delivered in community-based outpatient and school settings. Preventive
19 behavioral health services shall be covered with no patient cost-sharing; provided, however, that
20 cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue
21 Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this
22 service.

23 (2) The commission and its contracted carriers shall accept an alternative diagnosis code,
24 including a Social Determinants of Health Z-code, as the primary diagnosis from eligible
25 providers submitting claims for preventive behavioral health services.

26 SECTION 2. Chapter 175 of the General Laws, is hereby amended by inserting after
27 section 47UU the following section:-

28 Section 47VV. (a) For the purpose of this section, the following term shall have the
29 following meaning:

30 “Preventive behavioral health services”, short-term interventions in supportive group,
31 individual, or family settings that cultivate coping skills and strategies for symptoms of
32 depression, anxiety, and other social and emotional concerns, which may prevent the
33 development of behavioral health conditions for members who are under 21 years old who have
34 a positive behavioral health screening, or, in the case of an infant, a caregiver with a positive

35 post-partum depression screening, even if the individual does not meet criteria for behavioral
36 health diagnosis.

37 (b)(1) A policy, contract, agreement, plan or certificate of insurance issued, delivered or
38 renewed within the commonwealth shall provide coverage for no fewer than six sessions of
39 preventive behavioral health services provided by a qualified licensed behavioral health
40 clinician, or a non-licensed clinician or trainee under supervision, without requiring prior
41 authorization. Coverage shall include individual, family and group sessions when delivered by a
42 behavioral health clinician practicing in an integrated pediatric primary care setting and group
43 sessions when delivered in community-based outpatient and school settings. Preventive
44 behavioral health services shall be covered with no patient cost-sharing; provided, however, that
45 cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue
46 Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this
47 service.

48 (2) Payers covered under this section shall accept an alternative diagnosis code, including
49 a Social Determinants of Health Z-code, as the primary diagnosis from eligible providers
50 submitting claims for preventive behavioral health services.

51 SECTION 3. Chapter 176A of the General Laws, is hereby amended by inserting after
52 section 8VV the following section:-

53 Section 8WW. (a) For the purpose of this section, the following term shall have the
54 following meaning:

55 “Preventive behavioral health services”, short-term interventions in supportive group,
56 individual, or family settings that cultivate coping skills and strategies for symptoms of

57 depression, anxiety, and other social and emotional concerns, which may prevent the
58 development of behavioral health conditions for members who are under 21 years old who have
59 a positive behavioral health screening, or, in the case of an infant, a caregiver with a positive
60 post-partum depression screening, even if the individual does not meet criteria for behavioral
61 health diagnosis.

62 (b)(1) Any contract between a subscriber and a corporation subject to this chapter,
63 pursuant to an individual or group hospital service plan that is delivered, issued or renewed
64 within or without the commonwealth shall provide coverage for no fewer than six sessions of
65 preventive behavioral health services provided by a qualified licensed behavioral health
66 clinician, or a non-licensed clinician or trainee under supervision, without requiring prior
67 authorization. Coverage shall include individual, family and group sessions when delivered by a
68 behavioral health clinician practicing in an integrated pediatric primary care setting and group
69 sessions when delivered in community-based outpatient and school settings. Preventive
70 behavioral health services shall be covered with no patient cost-sharing; provided, however, that
71 cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue
72 Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this
73 service.

74 (2) Payers covered under this section shall accept an alternative diagnosis code, including
75 a Social Determinants of Health Z-code, as the primary diagnosis from eligible providers
76 submitting claims for preventive behavioral health services.

77 SECTION 4. Chapter 176B of the General Laws, is hereby amended by inserting after
78 section 4VV the following section:-

79 Section 4WW. (a) For the purpose of this section, the following term shall have the
80 following meaning:

81 “Preventive behavioral health services”, short-term interventions in supportive group,
82 individual, or family settings that cultivate coping skills and strategies for symptoms of
83 depression, anxiety, and other social and emotional concerns, which may prevent the
84 development of behavioral health conditions for members who are under 21 years old who have
85 a positive behavioral health screening, or, in the case of an infant, a caregiver with a positive
86 post-partum depression screening, even if the individual does not meet criteria for behavioral
87 health diagnosis.

88 (b)(1) Any subscription certificate under an individual or group medical service
89 agreement that is delivered, issued or renewed within or without the commonwealth shall
90 provide coverage for no fewer than six sessions of preventive behavioral health services
91 provided by a qualified licensed behavioral health clinician, or a non-licensed clinician or trainee
92 under supervision, without requiring prior authorization. Coverage shall include individual,
93 family and group sessions when delivered by a behavioral health clinician practicing in an
94 integrated pediatric primary care setting and group sessions when delivered in community-based
95 outpatient and school settings. Preventive behavioral health services shall be covered with no
96 patient cost-sharing; provided, however, that cost-sharing shall be required if the applicable plan
97 is governed by the Federal Internal Revenue Code and would lose its tax-exempt status as a
98 result of the prohibition on cost-sharing for this service.

99 (2) Payers covered under this section shall accept an alternative diagnosis code, including
100 a Social Determinants of Health Z-code, as the primary diagnosis from eligible providers
101 submitting claims for preventive behavioral health services.

102 SECTION 5. Chapter 176G of the General Laws, is hereby amended by inserting after
103 section 4NN the following section:-

104 Section 4OO. (a) For the purpose of this section, the following term shall have the
105 following meaning:

106 “Preventive behavioral health services”, short-term interventions in supportive group,
107 individual, or family settings that cultivate coping skills and strategies for symptoms of
108 depression, anxiety, and other social and emotional concerns, which may prevent the
109 development of behavioral health conditions for members who are under 21 years old who have
110 a positive behavioral health screening, or, in the case of an infant, a caregiver with a positive
111 post-partum depression screening, even if the individual does not meet criteria for behavioral
112 health diagnosis.

113 (b)(1) Any individual or group health maintenance contract that is issued or renewed
114 within or without the commonwealth shall provide coverage for no fewer than six sessions of
115 preventive behavioral health services provided by a qualified licensed behavioral health
116 clinician, or a non-licensed clinician or trainee under supervision, without requiring prior
117 authorization. Coverage shall include individual, family and group sessions when delivered by a
118 behavioral health clinician practicing in an integrated pediatric primary care setting and group
119 sessions when delivered in community-based outpatient and school settings. Preventive
120 behavioral health services shall be covered with no patient cost-sharing; provided, however, that

121 cost-sharing shall be required if the applicable plan is governed by the Federal Internal Revenue
122 Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this
123 service.

124 (2) Payers covered under this section shall accept an alternative diagnosis code, including
125 a Social Determinants of Health Z-code, as the primary diagnosis from eligible providers
126 submitting claims for preventive behavioral health services.

127 SECTION 6. The division of insurance, in consultation with the office of Medicaid, shall
128 develop guidance to implement coverage of preventive behavioral health services.