

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

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 unilateral contract changes.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

Third Essex

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act relative to unilateral contract changes.

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 15 of chapter 176O of the General Laws is hereby amended by
2 striking out subsection j and inserting in place thereof the following new subsection:-

3 (j) No carrier shall make a contract with a health care provider which includes a provision
4 permitting termination without cause. A carrier shall provide a written statement to a provider of
5 the reason or reasons for such provider's involuntary disenrollment. No carrier shall make a
6 contract with a health care provider which includes a provision permitting the carrier to make a
7 unilateral change to any material term or condition of such contract, including, but not limited to,
8 changes to underlying fee schedules, payment terms, carrier policies or procedures, definitions of
9 covered services or covered sites of services, policies associated with utilization review, quality
10 management and improvement, credentialing or covered preventive health services, other than a
11 change expressly required by law, unless the effective date of such unilateral change is after the
12 end of the then-current term of such contract, and notice of such change was provided, in
13 writing, to the health care provider more than 90 days before the date by which the health care

14 provider must provide notice of termination or non-renewal to the carrier under such contract.
15 Nothing herein shall prohibit a carrier and a health care provider from entering into a mutually-
16 agreeable amendment to such contract.

17 SECTION 2. Section 4 of chapter 32A of the General Laws is hereby amended by
18 inserting after the first paragraph the following new paragraph:-

19 The commission shall not purchase a policy providing health insurance benefits from an
20 insurance company whose contract with a healthcare provider under said policy includes a
21 provision permitting termination without cause. The commission shall not purchase a policy
22 providing health insurance benefits from an insurance company whose contract with a healthcare
23 provider under said policy includes a provision permitting the carrier to make a unilateral change
24 to any material term or condition of such contract, including, but not limited to, changes to
25 underlying fee schedules, payment terms, carrier policies or procedures, definitions of covered
26 services or covered sites of services, policies associated with utilization review, quality
27 management and improvement, credentialing or covered preventive health services, other than a
28 change expressly required by law, unless the effective date of such unilateral change is after the
29 end of the then-current term of such contract, and notice of such change was provided, in
30 writing, to the health care provider more than 90 days before the date by which the health care
31 provider must provide notice of termination or non-renewal to the carrier under such contract.
32 Nothing herein shall prohibit an insurance company and a health care provider from entering into
33 a mutually-agreeable amendment to such contract.

34 SECTION 3. Section 4A of chapter 32A of the General Laws is hereby amended by
35 inserting at the end of the first paragraph the following:-

36 The commission shall not enter into such service-type contracts if said contract includes a
37 provision permitting the termination without cause of a healthcare provider. The commission
38 shall not enter into such service-type contracts if said contract includes a provision permitting the
39 carrier to make a unilateral change to any material term or condition of such contract, including,
40 but not limited to, changes to underlying fee schedules, payment terms, carrier policies or
41 procedures, definitions of covered services or covered sites of services, policies associated with
42 utilization review, quality management and improvement, credentialing or covered preventive
43 health services, other than a change expressly required by law, unless the effective date of such
44 unilateral change is after the end of the then-current term of such contract, and notice of such
45 change was provided, in writing, to the health care provider more than 90 days before the date by
46 which the health care provider must provide notice of termination or non-renewal to the carrier
47 under such contract. Nothing herein shall prohibit an insurance company and a health care
48 provider from entering into a mutually-agreeable amendment to such contract.