

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 eliminating cost sharing for certain behavioral health services.

PETITION OF:

NAME:

Julian Cyr

DISTRICT/ADDRESS:

Cape and Islands

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act eliminating cost sharing for certain behavioral health services.

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, as appearing in the 2022 Official
2 Edition, is hereby amended by striking section 17M and inserting in place thereof the following
3 section:-

4 Section 17M. (a) For the purposes of this section the term "substance use disorder
5 treatment" shall include: early intervention services for substance use disorder treatment; a
6 substance use disorder evaluation as defined in section 511/2 of chapter 111; outpatient services
7 including medically assisted therapies; intensive outpatient and partial hospitalization services;
8 residential or inpatient services, not covered under section 17N; and medically managed
9 intensive inpatient services, not covered under said section 17N.

10 (b) Any coverage offered by the commission to an active or retired employee of the
11 commonwealth insured under the group insurance commission shall not require a member to
12 obtain a preauthorization for substance use disorder treatment if the provider is certified or
13 licensed by the department of public health. Substance use disorder treatment shall be covered

14 with no patient cost-sharing; provided, however, that cost-sharing shall be required if the
15 applicable plan is governed by the Federal Internal Revenue Code and would lose its tax-exempt
16 status as a result of the prohibition on cost-sharing for this service.

17 SECTION 2. Section 22 of said chapter 32A, as so appearing, is hereby amended be
18 inserting after subsection (e) the following subsection:-

19 (f) Benefits pursuant to this section shall be covered with no patient cost-sharing;
20 provided, however, that cost-sharing shall be required if the applicable plan is governed by the
21 Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition
22 on cost-sharing for this service.

23 SECTION 3. Chapter 175 of the General Laws, as appearing in the 2022 Official Edition,
24 is hereby amended by striking section 47FF and inserting in place thereof the following section:-

25 Section 47FF. (a) For the purposes of this section the term "substance use disorder
26 treatment" shall include: early intervention services for substance use disorder treatment; a
27 substance use disorder evaluation, as defined in section 511/2 of chapter 111; outpatient services
28 including medically assisted therapies; intensive outpatient and partial hospitalization services;
29 residential or inpatient services, not covered under section 47GG; and medically managed
30 intensive inpatient services, not covered under said section 47GG.

31 Any policy, contract, agreement, plan or certificate of insurance issued, delivered or
32 renewed within the commonwealth, which is considered creditable coverage under section 1 of
33 chapter 118M, shall not require a member to obtain a preauthorization for substance abuse
34 treatment if the provider is certified or licensed by the department of public health. Substance use
35 disorder treatment shall be covered with no patient cost-sharing; provided, however, that cost-

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

38 SECTION 4. Section 47B of said chapter 175, as so appearing, is hereby amended be
39 inserting after subsection (e) the following subsection:-

40 (f) Benefits pursuant to this section shall be covered with no patient cost-sharing;
41 provided, however, that cost-sharing shall be required if the applicable plan is governed by the
42 Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition
43 on cost-sharing for this service.

44 SECTION 5. Chapter 176A of the General Laws, as appearing in the 2022 Official
45 Edition is hereby amended by striking section 8HH, and inserting in place thereof the following
46 section:-

47 Section 8HH. (a) For the purposes of this section the term "substance use disorder
48 treatment" shall include: early intervention services for substance use disorder treatment; a
49 substance use disorder evaluation, as defined in section 511/2 of chapter 111; outpatient services
50 including medically assisted therapies; intensive outpatient and partial hospitalization services;
51 residential or inpatient services, not covered under section 8II; and medically managed intensive
52 inpatient services, not covered under said section 8II.

53 Any contract between a subscriber and the corporation under an individual or group
54 hospital service plan which is delivered, issued or renewed within the commonwealth shall not
55 require a member to obtain a preauthorization for substance use disorder treatment if the provider
56 is certified or licensed by the department of public health. Substance use disorder treatment shall
57 be covered with no patient cost-sharing; provided, however, that cost-sharing shall be required if

58 the applicable plan is governed by the Federal Internal Revenue Code and would lose its tax-
59 exempt status as a result of the prohibition on cost-sharing for this service.

60 SECTION 6. Section 8A of said chapter 176A, as so appearing, is hereby amended be
61 inserting after subsection (e) the following subsection:-

62 (f) Benefits pursuant to this section shall be covered with no patient cost-sharing;
63 provided, however, that cost-sharing shall be required if the applicable plan is governed by the
64 Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition
65 on cost-sharing for this service.

66 SECTION 7. Chapter 176B of the General Laws, as appearing in the 2022 Official
67 Edition, is hereby amended by striking section 4HH and inserting in place thereof the following
68 section:-

69 Section 4HH. (a) For the purposes of this section the term "substance use disorder
70 treatment" shall include: early intervention services for substance use disorder treatment; a
71 substance use disorder evaluation, as defined in section 511/2 of chapter 111; outpatient services
72 including medically assisted therapies; intensive outpatient and partial hospitalization services;
73 residential or inpatient services, not covered under section 4II; and medically managed intensive
74 inpatient services, not covered under said section 4II.

75 Any subscription certificate under an individual or group medical service agreement
76 delivered, issued or renewed within the commonwealth shall not require a member to obtain a
77 preauthorization for substance use disorder treatment if the provider is certified or licensed by
78 the department of public health. Substance use disorder treatment shall be covered with no
79 patient cost-sharing; provided, however, that cost-sharing shall be required if the applicable plan

80 is governed by the Federal Internal Revenue Code and would lose its tax-exempt status as a
81 result of the prohibition on cost-sharing for this service.

82 SECTION 8. Section 4A of said chapter 176B, as so appearing, is hereby amended be
83 inserting after subsection (e) the following subsection:-

84 (f) Benefits pursuant to this section shall be covered with no patient cost-sharing;
85 provided, however, that cost-sharing shall be required if the applicable plan is governed by the
86 Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition
87 on cost-sharing for this service.

88 SECTION 9. Chapter 176G of the General Laws, as appearing in the 2022 Official
89 Edition, is hereby amended by striking section 4Z and inserting in place thereof the following
90 section:-

91 Section 4Z. For the purposes of this section the term "substance use disorder treatment"
92 shall include: early intervention services for substance use disorder treatment; a substance use
93 disorder evaluation, as defined in section 511/2 of chapter 111; outpatient services including
94 medically assisted therapies; intensive outpatient and partial hospitalization services; residential
95 or inpatient services, not covered under section 4AA; and medically managed intensive inpatient
96 services, not covered under said section 4AA.

97 Any individual or group health maintenance contract that is issued or renewed shall not
98 require a member to obtain a preauthorization for substance use disorder treatment if the provider
99 is certified or licensed by the department of public health. Substance use disorder treatment shall
100 be covered with no patient cost-sharing; provided, however, that cost-sharing shall be required if

101 the applicable plan is governed by the Federal Internal Revenue Code and would lose its tax-
102 exempt status as a result of the prohibition on cost-sharing for this service.

103 SECTION 10. Section 4M of said chapter 176G, as so appearing, is hereby amended be
104 inserting after subsection (e) the following subsection:-

105 (f) Benefits pursuant to this section shall be covered with no patient cost-sharing;
106 provided, however, that cost-sharing shall be required if the applicable plan is governed by the
107 Federal Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition
108 on cost-sharing for this service.