

**HOUSE . . . . . No. 2065**

The Commonwealth of Massachusetts

PRESENTED BY:

*Louis L. Kafka*

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 the treatment of cleft palate and cleft lip.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>George T. Ross</i>	<i>2nd Bristol</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Stephen R. Canessa</i>	<i>12th Bristol</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Geraldine M. Creedon</i>	<i>11th Plymouth</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>

<i>Kathi-Anne Reinstein</i>	<i>16th Suffolk</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>David M. Torrasi</i>	<i>14th Essex</i>
<i>Eileen M. Donoghue</i>	
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>James B. Eldridge</i>	
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>James E. Timilty</i>	

**HOUSE . . . . . No. 2065**

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By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2065) of Louis L. Kafka and others relative to health insurance policies requirements to provide coverage for the treatment of children with cleft lips and palates. Financial Services.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 932 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act relative to the treatment of cleft palate and cleft lip.

*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 2006 Official  
2 Edition, is hereby amended by adding the following section:

3 Section 17J. Notwithstanding any general or special law or rule or regulation to the  
4 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
5 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
6 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
7 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
8 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
9 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
10 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such

11 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
12 coverage required by this section is subject to the terms and conditions applicable to other  
13 benefits. Payment for dental or orthodontic treatment not related to the management of the  
14 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

15 SECTION 2. Chapter 118E, is hereby amended by adding the following section:

16 Section 61. Notwithstanding any general or special law or rule or regulation to the  
17 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
18 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
19 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
20 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
21 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
22 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
23 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
24 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
25 coverage required by this section is subject to the terms and conditions applicable to other  
26 benefits. Payment for dental or orthodontic treatment not related to the management of the  
27 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

28 SECTION 3. Section 108 of Chapter 175 is hereby amended by adding the following  
29 section:

30 Section K. Notwithstanding any general or special law or rule or regulation to the  
31 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
32 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for

33 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
34 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
35 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
36 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
37 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
38 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
39 coverage required by this section is subject to the terms and conditions applicable to other  
40 benefits. Payment for dental or orthodontic treatment not related to the management of the  
41 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

42 SECTION 4. Section 110 of Chapter 175 is hereby amended by adding the following  
43 section:

44 Section N. Notwithstanding any general or special law or rule or regulation to the  
45 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
46 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
47 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
48 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
49 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
50 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
51 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
52 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
53 coverage required by this section is subject to the terms and conditions applicable to other  
54 benefits. Payment for dental or orthodontic treatment not related to the management of the  
55 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

56 SECTION 5. Chapter 176A of the General Laws is hereby amended by adding the  
57 following section:

58 Section 8CC. Notwithstanding any general or special law or rule or regulation to the  
59 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
60 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
61 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
62 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
63 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
64 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
65 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
66 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
67 coverage required by this section is subject to the terms and conditions applicable to other  
68 benefits. Payment for dental or orthodontic treatment not related to the management of the  
69 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

70 SECTION 6. Chapter 176B of the General Laws is hereby amended by adding the  
71 following section:

72 Section 4CC. Notwithstanding any general or special law or rule or regulation to the  
73 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
74 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
75 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
76 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
77 insure good health and adequate dental structures for orthodontic treatment or prosthetic

78 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
79 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
80 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
81 coverage required by this section is subject to the terms and conditions applicable to other  
82 benefits. Payment for dental or orthodontic treatment not related to the management of the  
83 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

84 SECTION 7. Chapter 176G of the General Laws is hereby amended by adding the  
85 following section:

86 Section 4U. Notwithstanding any general or special law or rule or regulation to the  
87 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
88 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
89 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
90 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
91 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
92 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
93 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
94 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
95 coverage required by this section is subject to the terms and conditions applicable to other  
96 benefits. Payment for dental or orthodontic treatment not related to the management of the  
97 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

98 SECTION 8. Chapter 176I of the General Laws is hereby amended by adding the  
99 following section:

100           Section 12. Notwithstanding any general or special law or rule or regulation to the  
101 contrary, a health insurance policy that covers a child under the age of 18 must provide coverage  
102 for treatment of cleft lip and cleft palate for the child. The coverage must include benefits for  
103 medical, dental, oral and facial surgery, surgical management and follow-up care by oral and  
104 plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to  
105 insure good health and adequate dental structures for orthodontic treatment or prosthetic  
106 management therapy, speech therapy, audiology, and nutrition services, only if such services are  
107 prescribed by the treating physician or surgeon and such physician or surgeon certifies that such  
108 services are medically necessary and consequent to the treatment of the cleft lip or palate. The  
109 coverage required by this section is subject to the terms and conditions applicable to other  
110 benefits. Payment for dental or orthodontic treatment not related to the management of the  
111 congenital condition of cleft lip and cleft palate shall not be covered under this provision.