HOUSE DOCKET, NO. 611 FILED ON: 1/14/2013

HOUSE . . . . . No. 945

The Commonwealth of Massachusetts

PRESENTED BY:

David Paul Linsky

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 curtailing smoking addiction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David Paul Linsky	*5th Middlesex*
Ruth B. Balser	*12th Middlesex*

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HOUSE . . . . . No. 945

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 945) of David Paul Linsky and Ruth B. Balser relative to requiring certain insurance policies to include coverage for nicotine based and non-nicotine based smoking cessation products. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1199* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act curtailing smoking addiction.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 32A of the General Laws is hereby amended by inserting after section 17I the following section:—

Section 17J. The commission shall provide to any active or retired employee of the commonwealth who is insured under the group insurance commission coverage for the cost of nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be provided coverage of no more than two smoking cessation product therapies in a calendar year, and that the products are made available in a manner consistent with existing laws and regulations.

SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 110M the following new section:—

Section 110N. Any individual policy of accident and sickness insurance issued pursuant to section 108, and any group policy of accident and sickness insurance issued pursuant to section 110 shall provide coverage for nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be provided coverage of no more than two smoking cessation product therapies in a calendar year, and that the products are made available in a manner consistent with existing laws and regulations.

17 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after
18 section 8DD the following section:—

19 Section 8EE. Any contract between a subscriber and the corporation under an individual
20 or group hospital service plan that shall be delivered, issued or renewed in the commonwealth
21 shall provide, as benefits to all individual subscribers or members having a principal place of
22 employment within the commonwealth, coverage for nicotine based and non-nicotine based
23 smoking cessation products to eligible enrollees provided that an enrollee shall be provided
24 coverage of no more than two smoking cessation product therapies in a calendar year, and that
25 the products are made available in a manner consistent with existing laws and regulations.

26 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after
27 section 4DD the following section:—

28 Section 4EE. Any subscription certificate under an individual or group medical service
29 agreement that shall be delivered, issued or renewed in the commonwealth shall provide as a
30 benefit for all individual subscribers or member within the commonwealth and all group
31 members having a principal place of employment within the commonwealth, coverage for
32 nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided
33 that an enrollee shall be provided coverage of no more than two smoking cessation product
34 therapies in a calendar year, and that the products are made available in a manner consistent with
35 existing laws and regulations.

36 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after
37 section 4V, the following section:—

38 Section 4W. Any group health maintenance contract shall provide coverage for nicotine
39 based and non-nicotine based smoking cessation products to eligible enrollees provided that an
40 enrollee shall be provided coverage of no more than two smoking cessation product therapies in
41 a calendar year, and that the products are made available in a manner consistent with existing
42 laws and regulations.