

**JOINT COMMITTEE ON FINANCIAL SERVICES  
2025-2026 (194<sup>th</sup>) BILL SUMMARY**

**Bill No:** H1128

**Title:** AN ACT PRESERVING ACCESS TO TREATMENT FOR PATIENTS WITH SERIOUS MENTAL ILLNESSES

**Sponsor:** Rep. Marjorie C. Decker (*Cambridge*)

**Hearing Date:** September 9, 2025

**Reporting Deadline:** November 8, 2025

**Prior History:**

2023-2024 (H984): Reported favorably; Referred to Health Care Financing; Reported favorably; HWM

2021-22 (H1066): Reported favorably; Referred to Health Care Financing; Reported favorably; SWM

**Similar Matters:** S708 (Cronin – Identical)

**CURRENT LAW:**

*M.G.L. c. 176O Health Insurance Consumer Protections § 12A Step therapy protocol: prescription drugs: annual report*

*Chapter 254 of the Acts of 2022, An Act relative to step therapy and patient safety §§1,2*

MassHealth and commercial health insurers:

- Will not require members to try a medication that may cause an adverse reaction or that is known to be ineffective for their condition.
- Will not require step-therapy where members have already done so with a particular medication or one in the same pharmacological class.
- Will not require step-therapy if a member is stable on their current medication and switching may cause harm.
- Are required to approve or deny step therapy exemption requests within three business days, or 24 hours in an emergency.

**SUMMARY:**

This bill would add the following definition for serious mental illness, to the health insurance consumer protection law ,“serious mental illness,” any of the following conditions, as defined by the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM): bipolar disorders, hypomanic, manic, depressive, and mixed, childhood and adolescent depression, major depressive disorders, single episode or recurrent, obsessive-compulsive disorders, paranoid personality disorder and other psychotic disorders, schizo-affective disorders, bipolar or depressive, schizophrenia, post-traumatic stress disorder.

This bill would require MassHealth and commercial health insurers to provide coverage for FDA approved medications used to prevent, assess or treat serious mental illness without requiring prior authorization, the initiation or completion of a step therapy protocol, or any other protocol that could restrict or delay the drug's dispensing.