

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

**Bill No:** H1229

**Title:** AN ACT TO FURTHER DEFINE MEDICAL NECESSITY DETERMINATIONS

**Sponsor:** Rep. Michael P. Kushmerek (*Fitchburg*)

**Hearing Date:** September 9, 2025

**Reporting Deadline:** November 8, 2025

**Prior History:**

2023-24 (H1068): Reported favorably; Referred to Health Care Financing; Ordered to a House Study

2021-22 (H1136): Reported favorably; Referred to Health Care Financing; Ordered to a House Study

2019-20 (H1029): Ordered to a House Study

2017-18 (H1070): Mental Health, Substance Use & Recovery; Reported new draft; Referred to Health Care Financing; Reported favorably; Referred to SWM; No further action taken.

2015-16 (H1795): Mental Health & Substance Abuse; Reported favorably; Referred to Health Care Financing; Ordered to a House Study

**Similar Matters:** S835 (Velis – Identical)

**CURRENT LAW:**

*M.G.L. c. 32A Contributory Group General or Blanket Insurance for Persons in the Service of the Commonwealth (Group Insurance Commission)*

*M.G.L. c. 118E Division of Medical Assistance (MassHealth)*

*M.G.L. c. 175 Insurance*

*M.G.L. c. 176A Non-Profit Hospital Service Corporations (Blue Cross of Massachusetts)*

*M.G.L. c. 176B Medical Service Corporations (Blue Shield of Massachusetts)*

*M.G.L. c. 176G Health Maintenance Organizations (HMOs)*

*Chapter 258 of the Acts of 2014, An Act to increase opportunities for long-term substance abuse recovery §§ 9, 19, 21, 23, 25, 27.*

The Group Insurance Commission (GIC), MassHealth and commercial health insurers will provide coverage for medically necessary acute treatment services (addiction treatment) and medically necessary clinical stabilization services (post detoxification treatment) for a total of 14 days and will not require preauthorization. Medical necessity will be determined by the treating clinician in consultation with the patient.

*Chapter 177 of the Acts of 2022, An Act addressing barriers to care for mental health §§ 25, 42, 51, 55, 58, 61.*

The Group Insurance Commission (GIC), MassHealth and commercial health insurers will provide coverage for medically necessary mental health acute treatment, community-based acute treatment, intensive community-based acute treatment and will not require a preauthorization before obtaining treatment, provided that the facility notify the carrier of the admission and the initial treatment plan within 72 hours of admission.

**SUMMARY:**

This bill would incorporate mental health treatment coverage provisions into *Chapter 258 of the Acts of 2014*.

- The Group Insurance Commission (GIC), MassHealth and commercial health insurers would adhere to the following:
  - Coverage would be provided for medically necessary mental health acute treatment without requiring preauthorization prior to obtaining treatment. The treating clinician, in consultation with the patient, would determine medical necessity and note the patient's medical record.
  - Coverage would be provided for medically necessary mental health crisis stabilization services and for medically necessary intensive community based acute treatment services for up to 14 days each and without requiring preauthorization prior to obtaining such services. Within 48 hours of admission, a facility would notify a carrier of the admission and the initial treatment plan. Utilization review procedures may be initiated on day 7. The treating clinician, in consultation with the patient, would determine medical necessity and note the patient's medical record.
  - Coverage would be provided for medically necessary community based acute treatment services for up to 21 days. Within 48 hours of admission, a facility would notify a carrier of the admission and the initial treatment plan. Utilization review procedures may be initiated on day 10. The treating clinician, in consultation with the patient, would determine medical necessity and note the patient's medical record.