

## **Joint Committee on Consumer Protection and Professional Licensure 2025-2026 (194<sup>th</sup>) Bill Summary**

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<b><u>BILL NUMBER:</u></b>	H1278
<b><u>TITLE:</u></b>	An Act relative to wheelchair repair requirements and consumer protection.
<b><u>SPONSOR(S):</u></b>	O'Day, James J.
<b><u>HEARING DATE:</u></b>	April 29, 2025
<b><u>REPORTING DEADLINE:</u></b>	June 28, 2025

### **CURRENT LAW**

Chapter 93 of the Massachusetts General Laws regulates trade and certain enterprises, including regulating monopolies and establishing customers' rights. Section 107 of said chapter specifically regulates customized wheelchairs, including outlining rights and remedies.

Chapter 118E of the General Laws charges the executive office for health and human services as the single state agency responsible for the administration of programs of medical assistance and medical benefits established under the chapter, which includes oversight over MassHealth.

Chapter 175 of the General Laws oversees insurance in the Commonwealth, including what must be covered or reimbursed by insurance plans.

Chapter 176A oversees non-profit hospital service corporations, including what services must be covered.

Chapter 176B oversees medical service corporations that are not non-profit, including what services must be covered.

Chapter 176G oversees health maintenance organizations, including what services must be covered.

Chapter 176O establishes health insurance consumer protections in the Commonwealth.

## **SUMMARY**

This legislation seeks to require that wheelchairs, including certain “complex rehabilitation technology wheelchairs”, in the Commonwealth are repaired within 10 business days of the date of request, provided that the wheelchair is made available for such repair and any prior insurer authorizations required have been acquired. Time spent waiting for authorization or necessary parts would not count toward the 10 business days. It would also require that wheelchair dealers maintain an email address and phone line for repair requests, and that those requests are responded to within 1 business day of the dealer receiving such request; and parts needed for the repair are ordered within 3 days of receiving such request.

Further, manufacturers shall fill all repair and replacement orders for wheelchairs. If the manufacturer does not have the inventory required, they may have a written subcontract for the purchase of items necessary to fill repair and replacement orders. The office of the attorney general may promulgate rules and regulations necessary for implementation and enforcement.

This legislation also seeks to ensure that Medicaid, private insurance plans, and medical service agreements would not require prior authorization for complex wheelchairs, unless the original prescription for said wheelchair is more than five years old.