

HOUSE No. 1042

The Commonwealth of Massachusetts

PRESENTED BY:

Vanna Howard

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 parity of treatment with substance abuse.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/10/2023</i>

HOUSE No. 1042

By Representative Howard of Lowell, a petition (accompanied by bill, House, No. 1042) of Vanna Howard relative to substance abuse healthcare coverage. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to parity of treatment with substance abuse.

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 is hereby amended by inserting after
2 section 17S the following section:-

3 Section 17T. The commission shall provide, to an active or retired employee of the
4 commonwealth who is insured under the group insurance commission, coverage for expenses
5 arising from treatment for chemical dependency, including alcoholism, and for mental or nervous
6 conditions at the same level as, and subject to limitations no more restrictive than, those imposed
7 on coverage or reimbursement of expenses arising from treatment for other medical conditions.

8 The coverage shall not be subject to treatment limitations, limits on total payments for
9 treatment, limits on duration of treatment or financial requirements unless similar limitations or
10 requirements are imposed on coverage of other medical conditions. The coverage of eligible
11 expenses may be limited to treatment that is medically necessary as determined under the policy
12 for other medical conditions.

13 Nothing in this section shall require coverage for:

14 (i) educational or correctional services or sheltered living provided by a school or
15 halfway house;

16 (ii) a long-term residential mental health program that lasts longer than 45 days;

17 (iii) psychoanalysis or psychotherapy received as part of an educational or training
18 program, regardless of diagnosis or symptoms that may be present;

19 (iv) a court-ordered sex offender treatment program.

20 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after
21 section 10Q the following section:-

22 Section 10R. The division and its contracted health insurers, health plans, health
23 maintenance organizations, behavioral health management firms and third-party administrators
24 under contract to a Medicaid managed care organization or primary care clinician plan shall
25 provide coverage for expenses arising from treatment for chemical dependency, including
26 alcoholism, and for mental or nervous conditions at the same level as, and subject to limitations
27 no more restrictive than, those imposed on coverage or reimbursement of expenses arising from
28 treatment for other medical conditions.

29 The coverage shall not be subject to treatment limitations, limits on total payments for
30 treatment, limits on duration of treatment or financial requirements unless similar limitations or
31 requirements are imposed on coverage of other medical conditions. The coverage of eligible
32 expenses may be limited to treatment that is medically necessary as determined under the policy
33 for other medical conditions.

34 Nothing in this section shall require coverage for:

35 (i) educational or correctional services or sheltered living provided by a school or
36 halfway house;

37 (ii) a long-term residential mental health program that lasts longer than 45 days;

38 (iii) psychoanalysis or psychotherapy received as part of an educational or training
39 program, regardless of diagnosis or symptoms that may be present;

40 (iv) a court-ordered sex offender treatment program.

41 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after
42 section 47TT the following section:-

43 Section 47UU. Any policy, contract, agreement, plan or certificate of insurance issued,
44 delivered or renewed within or without the commonwealth shall provide coverage for expenses
45 arising from treatment for chemical dependency, including alcoholism, and for mental or nervous
46 conditions at the same level as, and subject to limitations no more restrictive than, those imposed
47 on coverage or reimbursement of expenses arising from treatment for other medical conditions.

48 The coverage shall not be subject to treatment limitations, limits on total payments for
49 treatment, limits on duration of treatment or financial requirements unless similar limitations or
50 requirements are imposed on coverage of other medical conditions. The coverage of eligible
51 expenses may be limited to treatment that is medically necessary as determined under the policy
52 for other medical conditions.

53 Nothing in this section shall require coverage for:

54 (i) educational or correctional services or sheltered living provided by a school or
55 halfway house;

56 (ii) a long-term residential mental health program that lasts longer than 45 days;

57 (iii) psychoanalysis or psychotherapy received as part of an educational or training
58 program, regardless of diagnosis or symptoms that may be present;

59 (iv) a court-ordered sex offender treatment program.

60 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
61 section 8UU the following section:-

62 Section 8VV. A contract between a subscriber and the corporation under an individual or
63 group hospital service plan that is delivered, issued or renewed within the commonwealth shall
64 provide coverage for expenses arising from treatment for chemical dependency, including
65 alcoholism, and for mental or nervous conditions at the same level as, and subject to limitations
66 no more restrictive than, those imposed on coverage or reimbursement of expenses arising from
67 treatment for other medical conditions.

68 The coverage shall not be subject to treatment limitations, limits on total payments for
69 treatment, limits on duration of treatment or financial requirements unless similar limitations or
70 requirements are imposed on coverage of other medical conditions. The coverage of eligible
71 expenses may be limited to treatment that is medically necessary as determined under the policy
72 for other medical conditions.

73 Nothing in this section shall require coverage for:

74 (i) educational or correctional services or sheltered living provided by a school or
75 halfway house;

76 (ii) a long-term residential mental health program that lasts longer than 45 days;

77 (iii) psychoanalysis or psychotherapy received as part of an educational or training
78 program, regardless of diagnosis or symptoms that may be present;

79 (iv) a court-ordered sex offender treatment program.

80 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
81 section 4UU the following section:-

82 Section 4VV. Any subscription certificate under an individual or group medical service
83 agreement delivered, issued or renewed within the commonwealth shall provide coverage for
84 expenses arising from treatment for chemical dependency, including alcoholism, and for mental
85 or nervous conditions at the same level as, and subject to limitations no more restrictive than,
86 those imposed on coverage or reimbursement of expenses arising from treatment for other
87 medical conditions.

88 The coverage shall not be subject to treatment limitations, limits on total payments for
89 treatment, limits on duration of treatment or financial requirements unless similar limitations or
90 requirements are imposed on coverage of other medical conditions. The coverage of eligible
91 expenses may be limited to treatment that is medically necessary as determined under the policy
92 for other medical conditions.

93 Nothing in this section shall require coverage for:

94 (i) educational or correctional services or sheltered living provided by a school or
95 halfway house;

96 (ii) a long-term residential mental health program that lasts longer than 45 days;

97 (iii) psychoanalysis or psychotherapy received as part of an educational or training
98 program, regardless of diagnosis or symptoms that may be present;

99 (iv) a court-ordered sex offender treatment program.

100 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
101 section 4MM the following section:-

102 Section 4NN. Any individual or group health maintenance contract that is issued or
103 renewed within or without the commonwealth shall provide coverage for expenses arising from
104 treatment for chemical dependency, including alcoholism, and for mental or nervous conditions
105 at the same level as, and subject to limitations no more restrictive than, those imposed on
106 coverage or reimbursement of expenses arising from treatment for other medical conditions.

107 The coverage shall not be subject to treatment limitations, limits on total payments for
108 treatment, limits on duration of treatment or financial requirements unless similar limitations or
109 requirements are imposed on coverage of other medical conditions. The coverage of eligible
110 expenses may be limited to treatment that is medically necessary as determined under the policy
111 for other medical conditions.

112 Nothing in this section shall require coverage for:

113 (i) educational or correctional services or sheltered living provided by a school or
114 halfway house;

- 115 (ii) a long-term residential mental health program that lasts longer than 45 days;
- 116 (iii) psychoanalysis or psychotherapy received as part of an educational or training
- 117 program, regardless of diagnosis or symptoms that may be present;
- 118 (iv) a court-ordered sex offender treatment program.