

**HOUSE . . . . . No. 1092**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sean Garballey***

*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 to provide early and periodic screening, diagnosis and treatment to privately insured children under the age of 21.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/3/2021</i>

**HOUSE . . . . . No. 1092**

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 1092) of Sean Garballey relative to healthcare coverage for early and periodic screening, diagnosis and treatment services for children and adolescents. Financial Services.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act to provide early and periodic screening, diagnosis and treatment to privately insured children under the age of 21.

*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 17O the following section:-

3 Section 17P. The commission shall cover early and periodic screening, diagnosis and  
4 treatment (EPSDT) services for children and adolescents under age 21 in a manner equal to the  
5 amount, duration and scope of those services provided to Medicaid children and adolescents as  
6 required by 42 USC §1396(a)10A, §1396(a)(a)(43), §1396d(a)(4)(B) and §1396d(r).

7 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after  
8 section 47II the following section:-

9 Section 47JJ. An individual policy of accident and sickness insurance issued under  
10 section 108 that provides hospital expense and surgical expense insurance and any group blanket  
11 or general policy of accident and sickness insurance issued under section 110 that provides

12 hospital expense and surgical expense insurance, which is issued or renewed within or without  
13 the commonwealth, shall cover early and periodic screening, diagnosis and treatment (EPSDT)  
14 services for children and adolescents under age 21 in a manner equal to the amount, duration and  
15 scope of those services provided to Medicaid children and adolescents as required by 42 USC  
16 §1396(a)10A, §1396(a)(a)(43), §1396d(a)(4)(B) and §1396d(r).

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

19 Section 8LL. A contract between a subscriber and the corporation under an individual or  
20 group hospital service plan which is issued or renewed within or without the commonwealth  
21 shall cover early and periodic screening, diagnosis and treatment (EPSDT) services for children  
22 and adolescents under age 21 in a manner equal to the amount, duration and scope of those  
23 services provided to Medicaid children and adolescents as required by 42 USC §1396(a)10A,  
24 §1396(a)(a)(43), §1396d(a)(4)(B) and §1396d(r).

25 SECTION 4. Chapter 176B of the General Laws is hereby amended after section 4KK  
26 the following section:-

27 Section 4LL. A subscription certificate under an individual or group medical service  
28 agreement which is issued or renewed within or without the commonwealth shall cover early and  
29 periodic screening, diagnosis and treatment (EPSDT) services for children and adolescents under  
30 age 21 in a manner equal to the amount, duration and scope of those services provided to  
31 Medicaid children and adolescents as required by 42 USC §1396(a)10A, §1396(a)(a)(43),  
32 §1396d(a)(4)(B) and §1396d(r).

33 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after  
34 section 4CC the following section:-

35 Section 4DD. A health maintenance contract issued or renewed within or without the  
36 commonwealth shall cover early and periodic screening, diagnosis and treatment (EPSDT)  
37 services for children and adolescents under age 21 in a manner equal to the amount, duration and  
38 scope of those services provided to Medicaid children and adolescents as required by 42 USC  
39 §1396(a)10A, §1396(a)(a)(43), §1396d(a)(4)(B) and §1396d(r).

40 SECTION 6. Chapter 176I of the General Laws is hereby amended by adding the  
41 following section:-

42 Section 13. An organization entering into a preferred provider contract shall cover early  
43 and periodic screening, diagnosis and treatment (EPSDT) services for children and adolescents  
44 under age 21 in a manner equal to the amount, duration and scope of those services provided to  
45 Medicaid children and adolescents as required by 42 USC §1396(a)10A, §1396(a)(a)(43),  
46 §1396d(a)(4)(B) and §1396d(r).

47 SECTION 7. This act shall apply to all policies, contracts and certificates of health  
48 insurance subject to chapters 32A, 175, 176A, 176B, 176G and 176I of the General Laws which  
49 are delivered, issued or renewed on or after December 31, 2019.