

HOUSE No. 1263

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema and Daniel Cahill

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 improving consumer choice in health care providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/10/2021</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/10/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/17/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>

HOUSE No. 1263

By Representatives Dykema of Holliston and Cahill of Lynn, a petition (accompanied by bill, House, No. 1263) of Carolyn C. Dykema, Daniel Cahill and others relative to consumer choice in health care providers. Health Care Financing.

The Commonwealth of Massachusetts

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

An Act improving consumer choice in health care providers.

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. Section 15 of chapter 6D, as appearing in the 2018 Official Edition, is
2 hereby amended in line 182 by inserting after the word “of” the following:- “health care services
3 and”;

4 And in line 187 by striking out words “of these services”;

5 And in line 189 by striking out the words “as an approved provider of these free-standing
6 ancillary services for ACO patients”.

7 And in line 193 by striking out the words “of free-standing ancillary services”.

8 And in line 207 by inserting after the word “programs” the following:-

9 (h) The commission shall annually review the standards published by each certified ACO
10 pursuant to subsection (f) and shall issue a report of its findings, including any recommendations.

11 At a minimum, the commission’s review shall include whether the standards of each ACO

12 ensure consideration and participation by providers sufficient to ensure the goals of subsection
13 (c) and to maximize value to patients by minimizing price and health status adjusted total
14 medical expenses and maximizing quality and access. Such findings shall be used by the
15 commission in the examination and cross examination of witnesses at the annual cost trend
16 hearings pursuant to section 8. The commission shall biennially amend the minimum standards
17 established under subsection (b) in order to ensure processes by which participants and out-of-
18 ACO arrangements are approved and structured by certified ACOs, including through joint
19 venture arrangements.

20 SECTION 2. Notwithstanding any other general or special law to the contrary, not later
21 than January 1, 2022, the health policy commission shall promulgate regulations to implement
22 the aggrieved provider review process established in subsection (f) of section 15 of chapter 6D of
23 the General Laws.