

**HOUSE . . . . . No. 1795**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Kay Khan***

*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 further define medical necessity determinations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>

**HOUSE . . . . . No. 1795**

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By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1795) of Kay Khan and others relative to the determination of medically necessary services for mental health treatment . Mental Health and Substance Abuse.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act to further define medical necessity determinations.

*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 8A of Chapter 118E, as appearing in the 2012 Official Edition, is  
2 hereby amended by inserting at the end of the definition “Medically necessary services” the  
3 following sentence:-

4 “Medically necessary services for mental health treatment shall be determined by the  
5 treating clinician in consultation with the patient and noted in the patient’s medical record.”

6 SECTION 2. Section 16 (b) of Chapter 176O, as appearing in the 2012 Official Edition,  
7 is hereby amended by inserting after the word “restriction.”, in line 33, the following sentence:-

8 “Medical necessity for mental health services shall be determined by the treating clinician  
9 in consultation with the patient and noted in the patient’s medical record.”