

**HOUSE . . . . . No. 2169**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Denise C. Garlick***

*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 osteoporosis screening and treatment to prevent fractures and reduce health care costs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Juana Matias</i>	<i>16th Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>

<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>

**HOUSE . . . . . No. 2169**

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By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 2169) of Denise C. Garlick and others relative to osteoporosis screening and treatment. Financial Services.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to osteoporosis screening and treatment to prevent fractures and reduce health care costs.

*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. Postmenopausal women aged 50 and older shall undergo clinical  
2 assessment for osteoporosis and fracture risk, including a detailed history and physical  
3 examination using tools such as the World Health Organization’s (WHO) clinical fracture risk  
4 assessment (FRAX®), when available. Postmenopausal women aged 65 and older, men aged 70  
5 years and older, younger postmenopausal women and high risk men aged 50 years and older at  
6 increased risk for bone loss and fracture, based on fracture risk analysis, shall be screened for  
7 osteoporosis through bone mineral density (BMD) testing as recommended by the American  
8 Association of Clinical Endocrinologists (AACE)/American College of Endocrinology and the  
9 Endocrine Society guidelines in order to diagnose and determine the degree of osteoporosis.

10           Postmenopausal women diagnosed with osteoporosis shall receive treatment for  
11 osteoporosis in accordance with the recommendations of the American Association of Clinical  
12 Endocrinology, including but not limited to pharmacologic anabolic intervention.

13 SECTION 2. Chapter 32A of the General Laws is hereby amended by inserting after  
14 section 17N, as appearing in the 2014 Official Edition, the following section:-

15 Section 17O. Any coverage offered by the commission to an active or retired employee  
16 of the commonwealth insured under the group insurance commission shall provide coverage for  
17 American Association of Clinical Endocrinologists/American College of Endocrinology and  
18 Endocrine society guidelines for Bone Mineral Density (BMD) testing in postmenopausal  
19 women age 65 years and older, men age 70 and older, younger postmenopausal women and high  
20 risk men aged 50 years and older at increased risk for bone loss and fracture, based on fracture  
21 risk analysis, to diagnose and determine the degree of osteoporosis; and treatment for  
22 postmenopausal women diagnosed with osteoporosis in accordance with the recommendations of  
23 the American Association of Clinical Endocrinology, including but not limited to pharmacologic  
24 anabolic intervention. The benefits in this section shall not be subject to any greater deductible,  
25 coinsurance, copayments or out-of-pocket limits than any other benefit provided by the  
26 commission.

27 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after  
28 section 10I, inserted by section 105 of chapter 46 of the acts of 2015, the following section:-

29 Section 10J. The division shall provide coverage for American Association of Clinical  
30 Endocrinologists/American College of Endocrinology and Endocrine society guidelines for Bone  
31 Mineral Density (BMD) testing in postmenopausal women age 65 years and older, men age 70  
32 and older, younger postmenopausal women and high risk men aged 50 years and older at  
33 increased risk for bone loss and fracture, based on fracture risk analysis, to diagnose and  
34 determine the degree of osteoporosis; and treatment for post-menopausal women diagnosed with

35 osteoporosis in accordance with the recommendations of the American Association of Clinical  
36 Endocrinology, including but not limited to pharmacologic anabolic intervention. The benefits  
37 in this section shall not be subject to any greater deductible, coinsurance, copayments or out-of-  
38 pocket limits than any other benefit provided by the division.

39 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after  
40 section 47GG, as appearing in the 2014 Official Edition, the following section:-

41 Section 47HH. The following shall provide coverage for American Association of  
42 Clinical Endocrinologists/American College of Endocrinology and Endocrine society guidelines  
43 for Bone Mineral Density (BMD) testing in postmenopausal women age 65 years and older, men  
44 age 70 and older, younger postmenopausal women and high risk men aged 50 years and older at  
45 increased risk for bone loss and fracture, based on fracture risk analysis, to diagnose and  
46 determine the degree of osteoporosis; and treatment for postmenopausal women diagnosed with  
47 osteoporosis in accordance with the recommendations of the American Association of Clinical  
48 Endocrinology, including but not limited to pharmacologic anabolic intervention: (i) any policy  
49 of accident and sickness insurance, as described in section 108, which provides hospital expense  
50 and surgical expense insurance and which is delivered, issued or subsequently renewed by  
51 agreement between the insurer and policyholder in the commonwealth; (ii) any blanket or  
52 general policy of insurance described in subdivision (A), (C) or (D) of section 110 which  
53 provides hospital expense and surgical expense insurance and which is delivered, issued or  
54 subsequently renewed by agreement between the insurer and the policyholder in or outside of the  
55 commonwealth; or (iii) any employees' health and welfare fund which provides hospital expense  
56 and surgical expense benefits and which is delivered, issued or renewed to any person or group  
57 of persons in the commonwealth. The benefits in this section shall not be subject to any greater

58 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by  
59 the insurer.

60 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after  
61 section 8II, as so appearing, the following section:-

62 Section 8JJ. Any contract between a subscriber and the corporation under an individual or  
63 group hospital service plan which is delivered, issued or renewed within the commonwealth shall  
64 provide coverage for American Association of Clinical Endocrinologists/American College of  
65 Endocrinology and Endocrine society guidelines for Bone Mineral Density (BMD) testing in  
66 postmenopausal women age 65 years and older, men age 70 and older, younger postmenopausal  
67 women and high risk men aged 50 years and older at increased risk for bone loss and fracture,  
68 based on fracture risk analysis, to diagnose and determine the degree of osteoporosis; and  
69 treatment for post-menopausal women diagnosed with osteoporosis in accordance with the  
70 recommendations of the American Association of Clinical Endocrinology, including but not  
71 limited to pharmacologic anabolic intervention. The benefits in this section shall not be subject  
72 to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit  
73 provided by the insurer.

74 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after  
75 section 4II, as so appearing, the following section:-

76 Section 4JJ. Any subscription certificate under an individual or group medical service  
77 agreement delivered, issued or renewed within the commonwealth shall provide coverage for  
78 American Association of Clinical Endocrinologists/American College of Endocrinology and  
79 Endocrine society guidelines for Bone Mineral Density (BMD) testing in postmenopausal

80 women age 65 years and older, men age 70 and older, younger postmenopausal women and high  
81 risk men aged 50 years and older at increased risk for bone loss and fracture, based on fracture  
82 risk analysis, to diagnose and determine the degree of osteoporosis; and treatment for post-  
83 menopausal women diagnosed with osteoporosis in accordance with the recommendations of the  
84 American Association of Clinical Endocrinology, including but not limited to pharmacologic  
85 anabolic intervention. The benefits in this section shall not be subject to any greater deductible,  
86 coinsurance, copayments or out-of-pocket limits than any other benefit provided by the insurer.

87 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after  
88 section 4AA, as so appearing, the following section:-

89 Section 4BB. Any individual or group health maintenance contract shall provide  
90 coverage for American Association of Clinical Endocrinologists/American College of  
91 Endocrinology and Endocrine society guidelines for Bone Mineral Density (BMD) testing in  
92 postmenopausal women age 65 years and older, men age 70 and older, younger postmenopausal  
93 women and high risk men aged 50 years and older at increased risk for bone loss and fracture,  
94 based on fracture risk analysis, to diagnose and determine the degree of osteoporosis; and  
95 treatment for post-menopausal women diagnosed with osteoporosis in accordance with the  
96 recommendations of the American Association of Clinical Endocrinology, including but not  
97 limited to pharmacologic anabolic intervention. The benefits in this section shall not be subject  
98 to any greater deductible, coinsurance, copayments or out-of-pocket limits than any other benefit  
99 provided by the insurer.