

HOUSE No. 02458

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 passage of the accompanying bill:

An Act relative to local approval of municipal health insurance reform.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Shaunna O'Connell</i>	<i>3rd Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Richard Bastien</i>	<i>2nd Worcester</i>
<i>Daniel K. Webster</i>	<i>6th Plymouth</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Kevin Kuros</i>	<i>8th Worcester</i>
<i>Ryan Fattman</i>	<i>18th Worcester</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Daniel Winslow</i>	<i>9th Norfolk</i>
<i>Matthew Beaton</i>	<i>11th Worcester</i>

<i>Nicholas Boldyga</i>	<i>3rd Hampden</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>David Vieira,</i>	<i>3rd Barnstable</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Steven Howitt</i>	<i>4th Bristol</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 02458

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2458) of Frost and others relative to local approval of municipal health insurance reform Joint Committee on Public Service.

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act relative to local approval of municipal health insurance reform.

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 32B of the General Laws, as appearing in the 2008 Official Edition, is
2 hereby amended by inserting at the end thereof the following new section:

3 "Section 21.(a) Subsection (b) shall take effect in any city or town upon the approval by the
4 legislative body and their acceptance by the voters of a ballot question as set forth in this section.

5 (b)Effective July 1, 2011, a governmental unit is authorized to include, as part of the health plans
6 that it offers to its employees and retirees, co-payments, deductibles and tiered provider network
7 co-payments or other plan design features that are no greater in dollar amount than the highest
8 co-payments, deductibles and tiered provider network co-payments or other plan design features
9 provided in any of the same class of health plans offered by the Group Insurance Commission
10 pursuant to Chapter 32A. For purposes of this section, a "Point of Service" plan offered by a
11 governmental unit shall be considered to fall within the PPO class. The above authorized dollar

12 amounts for co-payments, deductibles and tiered provider network copayments or other plan
13 design features shall be increased whenever the Group Insurance Commission increases the
14 dollar amount of co-payments and/or deductibles and/or tiered provider network copayments
15 or other plan design features on the health plans that it offers.

16 A governmental unit may include in its health plans co-payments, deductibles and tiered provider
17 network co-payments or other plan design features up to the above-referenced amounts without
18 bargaining pursuant to either Chapter 150E or Section 19 of Chapter 32B concerning the
19 decision to do so or the impact of the decision.

20 Nothing herein shall prohibit a governmental unit from including in its health plans higher co-
21 payments, deductibles or tiered provider network co-payments or other plan design features than
22 those authorized by the preceding paragraphs of this section; but such higher co-payments,
23 deductibles or tiered provider network co-payments or other plan design features may be
24 included only after the governmental unit has satisfied any bargaining obligations pursuant to
25 either Chapter 150E or Section 19 of Chapter 32B.

26 (c) Upon approval by the legislative body, the actions of the body shall be submitted for
27 acceptance to the voters of a city or town at the next regular municipal or state election. The city
28 or town clerk or the state secretary shall place it on the ballot in the form of the following
29 question:

30 "Shall this (city or town) accept subsections a and b of section 21 chapter 32B of the General
31 Laws, as approved by its legislative body, a summary of which appears below?"

32 (Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined
33 by the city solicitor or town counsel, as the case may be.)

34 If a majority of the voters voting on said question vote in the affirmative, then its provisions shall
35 take effect in the city or town, but not otherwise.

36 (d) The final date for notifying or filing a petition with the city or town clerk or the state
37 secretary to place such a question on the ballot shall be 35 days before the city or town election
38 or 60 days before the state election.

39 (e) If the legislative body does not vote to accept subsections a and b at least 90 days before a
40 regular city or town election or 120 days before a state election, then a question seeking said
41 acceptance may be so placed on the ballot when a petition signed by at least 5 per cent of the
42 registered voters of the city or town requesting such action is filed with the registrar, who shall
43 have 7 days after receipt of such petition to certify its signatures. Upon certification of the
44 signatures, the city or town clerk or the state secretary shall cause the question to be placed on
45 the ballot at the next regular city or town election held more than 35 days after such certification
46 or at the next regular state election held more than 60 days after such certification.

47 (f) Upon acceptance of subsections a and b, the provisions of this act shall be imposed.".