

HOUSE No. 4206

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to insurance coverage for craniofacial disorders.

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 section
2 17N as appearing in the 2014 Official Edition, the following section:-

3 Section 17O. Any coverage offered by the commission to an active or retired employee
4 of the commonwealth insured under the group insurance commission shall provide coverage for
5 medically necessary functional repair or restoration of craniofacial disorders, with the exception
6 of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to
7 improve the function of, or to approximate the normal appearance of any abnormal structures
8 caused by congenital defects, developmental deformities, trauma, tumors, infections or disease.
9 Coverage under this section shall include the necessary care and treatment of medically
10 diagnosed congenital defects and birth abnormalities, including, but not limited to, cleft lip, cleft
11 palate, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta, and other
12 maxillofacial abnormalities. Coverage shall not include cosmetic surgery or for dental or
13 orthodontic treatment unrelated to congenital defects, developmental deformities, trauma,
14 tumors, infections or disease. The benefits in this section shall not be subject to any greater

15 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
16 the commission.

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

19 Section 10J. The division shall provide coverage for medically necessary functional
20 repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and
21 cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to
22 approximate the normal appearance of any abnormal structures caused by congenital defects,
23 developmental deformities, trauma, tumors, infections or disease. Coverage under this section
24 shall include the necessary care and treatment of medically diagnosed congenital defects and
25 birth abnormalities, including, but not limited to, cleft lip, cleft palate, ectodermal dysplasia,
26 dentinogenesis imperfect, amelogenesis imperfecta, and other maxillofacial abnormalities.
27 Coverage shall not include cosmetic surgery or for dental or orthodontic treatment unrelated to
28 congenital defects, developmental deformities, trauma, tumors, infections or disease. The
29 benefits in this section shall not be subject to any greater deductible, coinsurance, copayments or
30 out-of-pocket limits than any other benefit provided by the division.

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

33 Section 47HH. The following shall provide coverage for medically necessary functional
34 repair or restoration of craniofacial disorders; with the exception of coverage for cleft lip and
35 cleft palate which is prescribed elsewhere in the General Laws, to improve the function of, or to
36 approximate the normal appearance of any abnormal structures caused by congenital defects,

37 developmental deformities, trauma, tumors, infections or disease. Coverage under this section
38 shall include the necessary care and treatment of medically diagnosed congenital defects and
39 birth abnormalities, including, but not limited to, cleft lip, cleft palate, ectodermal dysplasia,
40 dentinogenesis imperfecta, amelogenesis imperfecta, and other maxillofacial abnormalities.
41 Coverage shall not include cosmetic surgery or for dental or orthodontic treatment unrelated to
42 congenital defects, developmental deformities, trauma, tumors, infections or disease.: (i) any
43 policy of accident and sickness insurance, as described in section 108, which provides hospital
44 expense and surgical expense insurance and which is delivered, issued or subsequently renewed
45 by agreement between the insurer and policyholder in the commonwealth; (ii) any blanket or
46 general policy of insurance described in subdivision (A), (C) or (D) of section 110 which
47 provides hospital expense and surgical expense insurance and which is delivered, issued or
48 subsequently renewed by agreement between the insurer and the policyholder in or outside of the
49 commonwealth; or (iii) any employees' health and welfare fund which provides hospital expense
50 and surgical expense benefits and which is delivered, issued or renewed to any person or group
51 of persons in the commonwealth. The benefits in this section shall not be subject to any greater
52 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
53 the insurer.

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

56 Section 8JJ. Any contract between a subscriber and the corporation under an individual or
57 group hospital service plan which is delivered, issued or renewed within the commonwealth shall
58 provide coverage for medically necessary functional repair or restoration of craniofacial
59 disorders; with the exception of coverage for cleft lip and cleft palate which is prescribed

60 elsewhere in the General Laws, to improve the function of, or to approximate the normal
61 appearance of any abnormal structures caused by congenital defects, developmental deformities,
62 trauma, tumors, infections or disease. Coverage under this section shall include the necessary
63 care and treatment of medically diagnosed congenital defects and birth abnormalities, including,
64 but not limited to, cleft lip, cleft palate, ectodermal dysplasia, dentinogenesis imperfecta,
65 amelogenesis imperfecta, and other maxillofacial abnormalities. Coverage shall not include
66 cosmetic surgery or for dental or orthodontic treatment unrelated to congenital defects,
67 developmental deformities, trauma, tumors, infections or disease. The benefits in this section
68 shall not be subject to any greater deductible, coinsurance, copayments or out-of-pocket limits
69 than any other benefit provided by the insurer.

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

72 Section 4JJ. Any subscription certificate under an individual or group medical service
73 agreement delivered, issued or renewed within the commonwealth shall provide coverage for
74 medically necessary functional repair or restoration of craniofacial disorders; with the exception
75 of coverage for cleft lip and cleft palate which is prescribed elsewhere in the General Laws, to
76 improve the function of, or to approximate the normal appearance of any abnormal structures
77 caused by congenital defects, developmental deformities, trauma, tumors, infections or disease.
78 Coverage under this section shall include the necessary care and treatment of medically
79 diagnosed congenital defects and birth abnormalities, including, but not limited to, cleft lip, cleft
80 palate, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta, and other
81 maxillofacial abnormalities. Coverage shall not include cosmetic surgery or for dental or
82 orthodontic treatment unrelated to congenital defects, developmental deformities, trauma,

83 tumors, infections or disease. The benefits in this section shall not be subject to any greater
84 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
85 the insurer.

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

88 Section 4BB. Any individual or group health maintenance contract shall provide
89 coverage for medically necessary functional repair or restoration of craniofacial disorders; with
90 the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the
91 General Laws, to improve the function of, or to approximate the normal appearance of any
92 abnormal structures caused by congenital defects, developmental deformities, trauma, tumors,
93 infections or disease. Coverage under this section shall include the necessary care and treatment
94 of medically diagnosed congenital defects and birth abnormalities, including, but not limited to,
95 cleft lip, cleft palate, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta,
96 and other maxillofacial abnormalities. Coverage shall not include cosmetic surgery or for dental
97 or orthodontic treatment unrelated to congenital defects, developmental deformities, trauma,
98 tumors, infections or disease. The benefits in this section shall not be subject to any greater
99 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
100 the insurer.

101 SECTION 7. Chapter 176I of the General Laws, as so appearing, is hereby amended by
102 inserting after section,12, as so appearing, the following section:-

103 Section 13. An organization entering into a preferred provider contract shall provide
104 coverage for medically necessary functional repair or restoration of craniofacial disorders; with

105 the exception of coverage for cleft lip and cleft palate which is prescribed elsewhere in the
106 General Laws, to improve the function of, or to approximate the normal appearance of any
107 abnormal structures caused by congenital defects, developmental deformities, trauma, tumors,
108 infections or disease. Coverage under this section shall include the necessary care and treatment
109 of medically diagnosed congenital defects and birth abnormalities, including, but not limited to,
110 cleft lip, cleft palate, ectodermal dysplasia, dentinogenesis imperfecta, amelogenesis imperfecta,
111 and other maxillofacial abnormalities. Coverage shall not include cosmetic surgery or for dental
112 or orthodontic treatment unrelated to congenital defects, developmental deformities, trauma,
113 tumors, infections or disease. The benefits in this section shall not be subject to any greater
114 deductible, coinsurance, copayments or out-of-pocket limits than any other benefit provided by
115 the insurer.

116 SECTION 8. This act shall apply to all policies, contracts and certificates of health
117 insurance subject to chapters 32A, 118E, 175, 176A, 176B, 176G and 176I, of the General Laws,
118 as so appearing, issued or renewed, except any entity to the extent it offers a policy, certificate or
119 contract that provides coverage for dental care services or vision care services.