

HOUSE No. 4258

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

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 strengthening health reform .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	1st Franklin
Lida E. Harkins	13th Norfolk
John P. Fresolo	16th Worcester
Peter v. Kocot	1st Hampshire
Timothy J. Toomey, Jr.	26th Middlesex
Geraldo Alicea	6th Worcester
Gloria L. Fox	7th Suffolk
Pam Richardson	6th Middlesex
Rosemary Sandlin	3rd Hampden
Martin J. Walsh	13th Suffolk
Martha M. Walz	8th Suffolk
Elizabeth A. Malia	11th Suffolk
Ellen Story	3rd Hampshire
Carl M. Sciortino, Jr.	34th Middlesex
Stephen L. DiNatale	3rd Worcester
Kevin G. Honan	17th Suffolk
John W. Scibak	2nd Hampshire
Frank I. Smizik	15th Norfolk
Denise Provost	27th Middlesex

Angelo J. Puppolo, Jr.	12th Hampden
John D. Keenan	7th Essex
Robert S. Hargraves	1st Middlesex
Matthew C. Patrick	3rd Barnstable
Bill Bowles	2nd Bristol
Kay Khan	11th Middlesex
Kate Hogan	3rd Middlesex
Steven J. D'Amico	4th Bristol
Tom Sannicandro	7th Middlesex
Christine E. Canavan	10th Plymouth
Jonathan Hecht	29th Middlesex
William Lantigua	16th Essex
Timothy Madden	Barnstable, Dukes and Nantucket
Matthew C. Patrick	3rd Barnstable
Willie Mae Allen	6th Suffolk
Lori Ehrlich	8th Essex
Thomas J. Calter	12th Plymouth
Benjamin Swan	11th Hampden
Patricia A. Haddad	5th Bristol
Steven M. Walsh	11th Essex
Barbara A. L'Italien	18th Essex
James J. O'Day	14th Worcester District

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT STRENGTHENING HEALTH 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. The second paragraph of section 16 of chapter 6A of the General Laws is hereby
2 amended by striking out the words “and (7) the health facilities appeal board” and inserting in
3 place thereof the following words:– (7) the health facilities appeal board; and (8) the health care
4 outreach and education unit.

5 SECTION 2. Chapter 6A of the General Laws is hereby amended by inserting after
6 section 16S the following section:–

7 Section 16T. (a) There shall be a health care outreach and education unit within the
8 executive office of health and human services. The unit shall coordinate statewide activities in
9 marketing, outreach, enrollment, coverage retention, and the dissemination of educational
10 materials related to publicly administered or publicly subsidized health care coverage for
11 residents of the Commonwealth. The unit shall collaborate with appropriate agencies, including,
12 but not limited to, the office of medicaid, the department of public health, the division of health
13 care finance and policy, the executive office of labor and workforce development, the
14 commonwealth health insurance connector authority, the executive office of administration and
15 finance, the department of revenue, the division of insurance, the office for refugees and
16 immigrants, the executive office of elder affairs, and the recipients of enrollment and outreach
17 grants pursuant to this section to develop common strategies, best practices, and guidelines for
18 providing informational support and assistance to consumers, non-profit assistance
19 organizations, employers, and businesses.

20 (b) The secretary shall form an advisory committee made up of a broad cross-section of
21 representatives of non-governmental groups concerned with community outreach, community
22 health education and public health programs. The committee shall consist of appointees from
23 organizations representing varied constituencies including, but not limited to, community health
24 workers, health care consumers, low-income populations, racial and ethnic minority groups, and
25 immigrant groups. The committee shall have representation from all regions of the
26 Commonwealth. The unit shall consult with the advisory committee regarding the grant design
27 and scope, including the application process and minimum grant amounts; best practices; data
28 and reporting requirements; and other issues. The unit shall provide the advisory committee with
29 information on activities submitted by grant recipients. The unit shall work in consultation with

30 the advisory committee to establish and implement an evaluation process to assess the work of
31 the unit and of the grantees. The advisory committee shall meet at least four times a year. All
32 meetings shall be open to the public.

33 (c) Subject to appropriation, the unit shall distribute grants to community and consumer-
34 focused public and private nonprofit groups for outreach, enrollment assistance and retention of
35 coverage assistance for publicly sponsored and publicly subsidized health coverage or safety net
36 programs. The grants shall be awarded to groups statewide, with emphasis in areas and
37 populations in which the division of health care finance and policy has determined a high
38 percentage of uninsured and enrolled individuals and areas in which there are limited health care
39 providers. The grants shall support efforts by the grantees to provide outreach, enrollment and re-
40 enrollment assistance, education on effective and appropriate use of health care coverage, and
41 coverage retention activities directly to consumers who may be eligible for programs including,
42 but not limited to, MassHealth, the Commonwealth Care Health Insurance Program, the
43 Commonwealth Choice program, Prescription Advantage, the Medical Security Plan, the
44 Children’s Medical Security Plan, Healthy Start, and the Health Safety Net and who may require
45 individualized support due to geography, ethnicity, race, culture, linguistic capacity, age,
46 economic status, immigration status, or disease status. In awarding the grants, the unit shall
47 provide written guidance to selected grantees with specific strategies of how to expend funds in
48 the most efficient manner to target populations and avoid duplication of activities, including
49 examples of best practices among prior year outreach grant recipients.

50 (d) The unit shall distribute grants to non-profit, community and consumer-focused
51 groups that are able to provide technical assistance for grantees identified in subsection (c). The
52 grants shall support technical assistance that includes informational updates, trainings, and the
53 sharing of best practices for grantee organizations conducting outreach, enrollment assistance,
54 education and coverage retention activities for programs including, but not limited to,
55 MassHealth, the Commonwealth Care Health Insurance Program, the Commonwealth Choice
56 program, Prescription Advantage, the Medical Security Plan, the Children’s Medical Security
57 Plan, Healthy Start, and the Health Safety Net.

58 SECTION 3. Section 16D of chapter 118E of the General Laws is hereby amended by
59 striking out subsection (7) and inserting in place thereof the following subsection:–

60 (7) Notwithstanding subsection (3), a person who is not a citizen of the United States but
61 who is either a qualified alien within the meaning of section 431 of the Personal Responsibility
62 and Work Opportunity Reconciliation Act of 1996 or is otherwise permanently residing in the
63 United States under color of law shall be eligible to receive benefits no less than the benefits
64 under MassHealth Essential if such individual meets the categorical and financial eligibility
65 requirements under MassHealth, provided further that such individual is either age 65 or older, or
66 between age 19 and 64, inclusive and disabled. In determining the appropriate scope of benefits,
67 the Division shall consider community-based home health and other services that will reduce
68 more costly hospital and other care for such individuals. Such individual shall not be subject to
69 sponsor income deeming or related restrictions.

70 SECTION 4. The first sentence of subsection (b) of section 35 of chapter 118G of the
71 General Laws is hereby amended by inserting after the words “(a) eligibility criteria for
72 reimbursable health services” the following words:– ; provided, that such reimbursable health
73 services provided to uninsured and underinsured patients who are subsequently determined
74 eligible for Medicaid or the commonwealth care health insurance program, established pursuant

75 to chapter 118H, shall be eligible for reimbursement for services provided six months prior to the
76 patient's application to such programs.

77 SECTION 5. Section 4 of chapter 118H of the General Laws is hereby amended by
78 adding the following paragraph:—

79 Benefits under this chapter shall be made available to qualifying individuals effective the
80 date of application. The commonwealth health insurance connector shall give eligible
81 beneficiaries a timely and adequate notice of any action to terminate, suspend or reduce
82 assistance paid under this chapter, and shall afford the beneficiary an opportunity for a hearing
83 before the effective date of said action. An applicant or beneficiary who prevails in an appeal
84 under this section shall have the benefit made available effective the date of the action subject to
85 the appeal.

86 SECTION 6. Chapter 176A of the General Laws is hereby amended by inserting after
87 section 8BB the following section:—

88 Section 8CC. No contract between a subscriber and the corporation under an individual
89 or group hospital service plan delivered or issued or renewed within the commonwealth shall
90 impose any lifetime dollar maximum on coverage.

91 SECTION 7. Chapter 176B of the General Laws is hereby amended by inserting after
92 section 4BB the following section:—

93 Section 4CC. No subscription certificate under an individual or group medical service
94 agreement delivered, issued or renewed within the commonwealth shall impose any lifetime
95 dollar maximum on coverage.

96 SECTION 8. Chapter 176G of the General Laws is hereby amended by inserting after
97 section 4T the following section:—

98 Section 4U. No individual or group health maintenance contract shall impose any lifetime
99 dollar maximum on coverage.

100 SECTION 9. Chapter 32A of the General Laws is hereby amended by inserting after
101 section 24 the following section:—

102 Section 25. No coverage offered by the commission to any active or retired employee of the
103 commonwealth who is insured under the group insurance commission shall include any lifetime
104 dollar maximum on coverage.