

HOUSE No. 930

The Commonwealth of Massachusetts

PRESENTED BY:

William Smitty Pignatelli

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 the practice of acupuncture.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>

<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>

HOUSE No. 930

By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 930) of William Smitty Pignatelli and others relative to expands health insurance coverage for certain acupuncture services, diagnosis and treatment and establishing a commission to investigate the potential for better integrated use of acupuncture services . Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3972 OF 2013-2014.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act relative to the practice of acupuncture.

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 111 of the General Laws is hereby amended by adding the
2 following section:-

3 Section 233. There shall be a commission on acupuncture and wellness within the
4 department. The commission shall consist of: the commissioner of public health or the
5 commissioner’s designee, who shall chair the commission; the commissioner of insurance or the
6 commissioner’s designee; the director of MassHealth or the director’s designee; the director of
7 the board of registration in medicine or the director’s designee; the senate chair of the joint
8 committee on public health; the house chair of the joint committee on public health; a member
9 representing a statewide organization of licensed acupuncturists; a member representing a

10 statewide organization of medical acupuncturists; a member representing the Massachusetts
11 Public Health Association; and 5 members to be selected by the Governor including: no fewer
12 than 2 acupuncturists, licensed and practicing in the state of Massachusetts; a member
13 representing one of the top five health insurance companies in Massachusetts according to
14 market share, a member representing a health care consumer organization, and a member
15 currently practicing as a licensed physician in Massachusetts.

16 The commission acupuncture and wellness shall make an investigation and
17 comprehensive study of the potential for better integrated use of acupuncture services to expand
18 access, reduce health care costs, and provide improved quality of care to Massachusetts
19 residents. The commission shall:

20 (1) Consider strategies to evaluate and implement effective integration of
21 acupuncture services in health care delivery in Massachusetts with specific focus on
22 interventions in pain management, substance abuse treatment, and wellness promotion.

23 (2) Consider strategies to effectively integrate acupuncture treatment modalities into
24 alternative payment models, including, but not limited to, accountable care organizations,
25 workplace wellness programs and provider organizations established under chapter 224 of the
26 acts of 2012.

27 (3) Consider strategies regarding reimbursement of licensed acupuncturists via third
28 party payors or otherwise to facilitate a stable and sustainable integration of acupuncture services
29 into the broader system of health care delivery.

30 The commission on acupuncture and wellness shall submit to the secretary of health and
31 human services and the joint committee public health, six months after the effective date of this

32 act and annually thereafter, a report that includes findings from the commission's review along
33 with recommendations and any suggested legislation to implement those recommendations.

34 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after
35 section 47GG, as inserted by section 21 of chapter 258 of the acts of 2014, the following
36 section:-

37 Section 47HH. (a) All individual or group accident and health insurance policies and
38 health service contracts delivered, issued or renewed by an insurer or nonprofit health service
39 corporation which provide benefits to individual subscribers and members within the
40 commonwealth or to all group members having a principal place of employment within the
41 commonwealth shall provide benefits for acupuncture and oriental medicine based diagnosis and
42 treatment in the areas of pain management, post-traumatic stress disorder, substance abuse
43 treatment, and nausea.

44 SECTION 3. Said chapter 175 is hereby further amended by inserting after section 205,
45 as appearing in the 2012 Official Edition, the following section:-

46 Section 205A. (a) The commissioner shall not approve a policy under section 205 that
47 does not provide benefits for acupuncture and oriental medicine based diagnosis and treatment in
48 the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and
49 nausea.

50 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
51 section 8II, as inserted by section 23 of chapter 258 of the acts of 2014, the following section:-

52 Section 8JJ. (a) Any contract between a subscriber and the corporation under an
53 individual or group hospital service plan delivered, issued or renewed in the commonwealth shall
54 provide as benefits to all individual subscribers and members within the commonwealth and to
55 all group members having a principal place of employment within the commonwealth
56 acupuncture and oriental medicine based diagnosis and treatment in the areas of pain
57 management, post-traumatic stress disorder, substance abuse treatment, and nausea.

58 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
59 section 4II, as inserted by section 25 of chapter 258 of the acts of 2014, the following section:-

60 Section 4JJ. (a) Any subscription certificate under an individual or group medical service
61 agreement delivered, issued or renewed in the commonwealth shall provide benefits to all
62 individual subscribers and members within the commonwealth and to all group members having
63 a principal place of employment within the commonwealth for acupuncture and oriental
64 medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress
65 disorder, substance abuse treatment, and nausea.

66 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
67 section 4AA, as inserted by section 27 of chapter 258 of the acts of 2014, the following section:-

68 Section 4BB. (a) Any group health maintenance contract shall provide coverage for
69 acupuncture and oriental medicine based diagnosis and treatment in the areas of pain
70 management, post-traumatic stress disorder, substance abuse treatment, and nausea.

71 SECTION 7. Notwithstanding any general or special law to the contrary, no third party
72 payer of health care services shall differentiate reimbursement rates for acupuncture services by

73 provider type. Only licensed acupuncturists or medical doctors shall be reimbursed for
74 acupuncture services.