

HOUSE No. 932

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 the treatment of cleft palate and cleft lip.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Louis L. Kafka	8th Norfolk
William C. Galvin	6th Norfolk
James E. Timilty	Bristol and Norfolk
Cleon H. Turner	1st Barnstable
Denise Provost	27th Middlesex
Lori Ehrlich	8th Essex
Mary E. Grant	6th Essex
Peter v. Kocot	1st Hampshire
Garrett J. Bradley	3rd Plymouth
Carl M. Sciortino, Jr.	34th Middlesex
Christine E. Canavan	10th Plymouth
Stephen R. Canessa	12th Bristol
Timothy J. Toomey, Jr.	26th Middlesex
Jennifer M. Callahan	18th Worcester
Thomas J. Calter	12th Plymouth
Allen J. McCarthy	7th Plymouth
John W. Scibak	2nd Hampshire
Ellen Story	3rd Hampshire
Richard J. Ross	9th Norfolk

F. Jay Barrows	1st Bristol
Elizabeth Poirier	14th Bristol
Jennifer L. Flanagan	Worcester and Middlesex
Paul McMurtry	11th Norfolk
Kay Khan	11th Middlesex
Cory Atkins	14th Middlesex
Walter F. Timilty	7th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4283 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE TREATMENT OF CLEFT PALATE AND CLEFT LIP..

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, as appearing in the 2006 Official Edition, is
2 hereby amended by adding the following section:

3 Section 17J. Notwithstanding any general or special law or rule or regulation to the contrary, a
4 health insurance policy that covers a child under the age of 18 must provide coverage for treatment of
5 cleft lip and cleft palate for the child. The coverage must include benefits for medical, dental, oral and
6 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
7 treatment and management, preventative and restorative dentistry to insure good health and adequate
8 dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology,
9 and nutrition services, only if such services are prescribed by the treating physician or surgeon and such
10 physician or surgeon certifies that such services are medically necessary and consequent to the treatment
11 of the cleft lip or palate. The coverage required by this section is subject to the terms and conditions
12 applicable to other benefits. Payment for dental or orthodontic treatment not related to the management
13 of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

14 SECTION 2. Chapter 118E, is hereby amended by adding the following section:

15 Section 61. Notwithstanding any general or special law or rule or regulation to the contrary, a
16 health insurance policy that covers a child under the age of 18 must provide coverage for treatment of
17 cleft lip and cleft palate for the child. The coverage must include benefits for medical, dental, oral and

18 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
19 treatment and management, preventative and restorative dentistry to insure good health and adequate
20 dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology,
21 and nutrition services, only if such services are prescribed by the treating physician or surgeon and such
22 physician or surgeon certifies that such services are medically necessary and consequent to the treatment
23 of the cleft lip or palate. The coverage required by this section is subject to the terms and conditions
24 applicable to other benefits. Payment for dental or orthodontic treatment not related to the management
25 of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

26 SECTION 3. Section 108 of Chapter 175 is hereby amended by adding the following section:

27 Section K. Notwithstanding any general or special law or rule or regulation to the contrary, a health
28 insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip
29 and cleft palate for the child. The coverage must include benefits for medical, dental, oral and facial
30 surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and
31 management, preventative and restorative dentistry to insure good health and adequate dental structures
32 for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition
33 services, only if such services are prescribed by the treating physician or surgeon and such physician or
34 surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft
35 lip or palate. The coverage required by this section is subject to the terms and conditions applicable to
36 other benefits. Payment for dental or orthodontic treatment not related to the management of the
37 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

38 SECTION 4. Section 110 of Chapter 175 is hereby amended by adding the following section:

39 Section N. Notwithstanding any general or special law or rule or regulation to the contrary, a health
40 insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip
41 and cleft palate for the child. The coverage must include benefits for medical, dental, oral and facial
42 surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and
43 management, preventative and restorative dentistry to insure good health and adequate dental structures
44 for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition
45 services, only if such services are prescribed by the treating physician or surgeon and such physician or
46 surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft
47 lip or palate. The coverage required by this section is subject to the terms and conditions applicable to
48 other benefits. Payment for dental or orthodontic treatment not related to the management of the
49 congenital condition of cleft lip and cleft palate shall not be covered under this provision.

50 SECTION 5. Chapter 176A of the General Laws is hereby amended by adding the following
51 section:

52 Section 8CC. Notwithstanding any general or special law or rule or regulation to the contrary, a
53 health insurance policy that covers a child under the age of 18 must provide coverage for treatment of
54 cleft lip and cleft palate for the child. The coverage must include benefits for medical, dental, oral and
55 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
56 treatment and management, preventative and restorative dentistry to insure good health and adequate
57 dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology,
58 and nutrition services, only if such services are prescribed by the treating physician or surgeon and such
59 physician or surgeon certifies that such services are medically necessary and consequent to the treatment
60 of the cleft lip or palate. The coverage required by this section is subject to the terms and conditions
61 applicable to other benefits. Payment for dental or orthodontic treatment not related to the management
62 of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

63 SECTION 6. Chapter 176B of the General Laws is hereby amended by adding the following
64 section:

65 Section 4CC. Notwithstanding any general or special law or rule or regulation to the contrary, a
66 health insurance policy that covers a child under the age of 18 must provide coverage for treatment of
67 cleft lip and cleft palate for the child. The coverage must include benefits for medical, dental, oral and
68 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
69 treatment and management, preventative and restorative dentistry to insure good health and adequate
70 dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology,
71 and nutrition services, only if such services are prescribed by the treating physician or surgeon and such
72 physician or surgeon certifies that such services are medically necessary and consequent to the treatment
73 of the cleft lip or palate. The coverage required by this section is subject to the terms and conditions
74 applicable to other benefits. Payment for dental or orthodontic treatment not related to the management
75 of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

76 SECTION 7. Chapter 176G of the General Laws is hereby amended by adding the following
77 section:

78 Section 4U. Notwithstanding any general or special law or rule or regulation to the contrary, a
79 health insurance policy that covers a child under the age of 18 must provide coverage for treatment of
80 cleft lip and cleft palate for the child. The coverage must include benefits for medical, dental, oral and

81 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
82 treatment and management, preventative and restorative dentistry to insure good health and adequate
83 dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology,
84 and nutrition services, only if such services are prescribed by the treating physician or surgeon and such
85 physician or surgeon certifies that such services are medically necessary and consequent to the treatment
86 of the cleft lip or palate. The coverage required by this section is subject to the terms and conditions
87 applicable to other benefits. Payment for dental or orthodontic treatment not related to the management
88 of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

89 SECTION 8. Chapter 176I of the General Laws is hereby amended by adding the following section:

90 Section 12. Notwithstanding any general or special law or rule or regulation to the contrary, a health
91 insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip
92 and cleft palate for the child. The coverage must include benefits for medical, dental, oral and facial
93 surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and
94 management, preventative and restorative dentistry to insure good health and adequate dental structures
95 for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition
96 services, only if such services are prescribed by the treating physician or surgeon and such physician or
97 surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft
98 lip or palate. The coverage required by this section is subject to the terms and conditions applicable to
99 other benefits. Payment for dental or orthodontic treatment not related to the management of the
100 congenital condition of cleft lip and cleft palate shall not be covered under this provision.