

**SENATE . . . . . No. 1027**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Kenneth J. Donnelly***

*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 to require health care coverage for the emergency psychiatric services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Barbara L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>

**SENATE . . . . . No. 1027**

By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1027) of Kenneth J. Donnelly, Paul R. Heroux, Jason M. Lewis, Marjorie C. Decker and other members of the General Court for legislation to require health care coverage for the emergency psychiatric services. Mental Health and Substance Abuse.

**The Commonwealth of Massachusetts**

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

An Act to require health care coverage for the emergency psychiatric services.

*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. “Emergency services programs’ shall mean all programs subject to contract  
2 between the mass behavioral health partnership and nonprofit organizations for the provision of  
3 said emergency services.

4 SECTION 2. Chapter 32A of the General Laws, as appearing in the 2012 Official  
5 Edition, is hereby amended by adding the following section:-

6 Section 26. The commission shall provide to an active or retired employee of the  
7 commonwealth who is insured under the group insurance commission benefits on a  
8 nondiscriminatory basis for medically necessary emergency service programs.

9 SECTION 3. Chapter 175 of the General Laws, as so appearing, is hereby amended by  
10 inserting after section 47AA the following section:-

11           Section 47BB. An individual policy of accident and sickness insurance issued under  
12 section 108 that provides hospital expense and surgical expense insurance and any group blanket  
13 or general policy of accident and sickness insurance issued under section 110 that provides  
14 hospital expense and surgical expense insurance, which is issued or renewed within or without  
15 the commonwealth, shall provide benefits on a nondiscriminatory basis for medically necessary  
16 emergency service programs.

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

19           Section 8EE. A contract between a subscriber and the corporation under an individual or  
20 group hospital service plan which is issued or renewed within or without the commonwealth  
21 shall provide benefits on a nondiscriminatory basis for medically necessary emergency service  
22 programs.

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

25           Section 4EE. A subscription certificate under an individual or group medical service  
26 agreement which is issued or renewed within or without the commonwealth shall provide  
27 benefits on a nondiscriminatory basis for medically necessary emergency service programs.

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

30           Section 4W. A health maintenance contract issued or renewed within or without the  
31 commonwealth shall provide benefits on a nondiscriminatory basis for medically necessary  
32 emergency service programs.

33           SECTION 7. All policies, contracts and certificates of health insurance subject to section  
34 26 of chapter 32A, section 47BB of chapter 175, section 8EE of chapter 176A, section 4EE of  
35 chapter 176B, and section 4W of chapter 176G of the General Laws, as so appearing, which are  
36 delivered, issued or renewed on or after January 1, 2011 shall conform with the provisions of this  
37 act. Form filings implementing this act shall be subject to the approval of the commissioner of  
38 insurance.

39           SECTION 8. This act shall take effect on January 1, 2017.