

**SENATE . . . . . No. 1086**

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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:

*Kenneth J. Donnelly*

DISTRICT/ADDRESS:

*Fourth Middlesex*

**SENATE . . . . . No. 1086**

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1086) of Kenneth J. Donnelly for legislation to require health care coverage for the emergency psychiatric services. Mental Health, Substance Use and Recovery.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

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. Chapter 32A of the General Laws, as appearing in the 2014 Official  
2 Edition, is hereby amended by adding the following section:-

3           Section 28. The commission shall provide to an active or retired employee of the  
4 commonwealth who is insured under the group insurance commission benefits on a  
5 nondiscriminatory basis for medically necessary emergency service programs, as defined in  
6 section 1 of chapter 175.

7           SECTION 2. Section 1 of chapter 175, as appearing in the 2014 Official Edition, is  
8 hereby amended by inserting after the word “commonwealth”, in line 15, the following words:-

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

12 SECTION 3. Said chapter 175 is hereby further amended by inserting after section 47BB  
13 the following section:-

14 Section 47CC. An individual policy of accident and sickness insurance issued under  
15 section 108 that provides hospital expense and surgical expense insurance and any group blanket  
16 or general policy of accident and sickness insurance issued under section 110 that provides  
17 hospital expense and surgical expense insurance, which is issued or renewed within or without  
18 the commonwealth, shall provide benefits on a nondiscriminatory basis for medically necessary  
19 emergency service programs, as defined in section 1 of chapter 175.

20 SECTION 4. Chapter 176A of the General Laws, as appearing in the 2014 Official  
21 Edition, is hereby amended by inserting after section 8II the following section:-

22 Section 8JJ. A contract between a subscriber and the corporation under an individual or  
23 group hospital service plan which is issued or renewed within or without the commonwealth  
24 shall provide benefits on a nondiscriminatory basis for medically necessary emergency service  
25 programs, as defined in section 1 of chapter 175.

26 SECTION 5. Chapter 176B of the General Laws, as appearing in the 2014 Official  
27 Edition, is hereby amended by inserting after section 4II the following section:-

28 Section 4JJ. A subscription certificate under an individual or group medical service  
29 agreement which is issued or renewed within or without the commonwealth shall provide  
30 benefits on a nondiscriminatory basis for medically necessary emergency service programs, as  
31 defined in section 1 of chapter 175.

32 SECTION 6. Chapter 176G of the General Laws, as appearing in the 2014 Official  
33 Edition, is hereby amended by inserting after section 4AA the following section:-

34 Section 4BB. A health maintenance contract issued or renewed within or without the  
35 commonwealth shall provide benefits on a nondiscriminatory basis for medically necessary  
36 emergency service programs, as defined in section 1 of chapter 175.

37 SECTION 7. All policies, contracts and certificates of health insurance subject to section  
38 28 of chapter 32A, section 47CC of chapter 175, section 8JJ of chapter 176A, section 4JJ of  
39 chapter 176B, and section 4BB of chapter 176G of the General Laws, which are delivered, issued  
40 or renewed on or after January 1, 2015 shall conform with the provisions of this act. Form filings  
41 implementing this act shall be subject to the approval of the commissioner of insurance.

42 SECTION 8. This act shall take effect on January 1, 2018.