

SENATE No. 00417

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

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 providing health insurance coverage for scalp hair prosthesis.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>John Hart, Jr.</i>	<i>First Suffolk</i>
<i>Frederick E. Berry</i>	<i>Second Essex</i>

SENATE No. 00417

By Ms. Creem, petition (accompanied by bill, Senate, No. 417) of Berry, Hart, Dykema and other members of the General Court for legislation to provide health insurance coverage for scalp hair prosthesis [Joint Committee on Financial Services].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ SENATE
□ , NO. 523 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act providing health insurance coverage for scalp hair prosthesis.

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. Subsection (b) of section 17E of chapter 32A of the General Laws, as so
2 appearing in the 2008 Official Edition, , is hereby amended by inserting, in line 11, after the
3 words “cancer or leukemia;” the following:- or as a result of alopecia areata, alopecia totalis,
4 non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however,
5 that the alopecia is not part of the natural or premature aging process; and

6 SECTION 2. Chapter 175 of the General Laws, as appearing in the 2008 Official
7 Edition, is hereby amended by inserting after section 47AA the following section:-

8 Section 47BB. (a) As used in this section, the following words shall have the following
9 meanings:

10 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
11 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
12 hair or glass eyes.

13 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

14 (b) An individual policy of accident and sickness insurance issued under section 108
15 that provides hospital expense and surgical expense insurance and any group blanket or general
16 policy of accident and sickness insurance issued under section 110 that provides hospital expense
17 and surgical expense insurance, which is issued or renewed within or without the
18 commonwealth, shall provide benefits on a nondiscriminatory basis for any other prosthesis,
19 coverage for expenses for scalp hair prostheses worn for hair loss suffered as a result of the
20 treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis,
21 non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however,
22 that the alopecia is not part of the natural or premature aging process; and provided, however,
23 that such coverage shall be subject to a written statement by the treating physician that the scalp
24 hair prosthesis is medically necessary; and provided, further, that such coverage shall be subject
25 to the same limitations and guidelines as other prostheses.

26 SECTION 3. Chapter 176A of the General Laws, as so appearing, is hereby amended
27 by inserting after section 8DD the following section:-

28 Section EE.

29 (a) As used in this section, the following words shall have the following meanings::

30 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
31 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
32 hair or glass eyes.

33 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

34 A contract between a subscriber and the corporation under an individual or group
35 hospital service plan which is issued or renewed within or without the commonwealth shall
36 provide benefits on a nondiscriminatory basis for for expenses for scalp hair prosthesis worn for
37 hair loss suffered as a result of the treatment of any form of cancer or leukemia, or as a result of
38 alopecia areata, alopecia totalis, non-classical 21-hydroxylase or permanent loss of scalp hair due
39 to injury; provided, however, that the alopecia is not part of the natural or premature aging
40 process; and provided, however, that such coverage shall be subject to a written statement by the
41 treating physician that the scalp hair prosthesis is medically necessary. Such coverage shall be
42 subject to the same limitations and guidelines as other prosthesis. Such prosthesis coverage shall
43 be provided at a minimum at the same amount and frequency as any state insurer provides for
44 hair prostheses for hair loss due to chemotherapy

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

47 Section 4EE.

48 (a) As used in this section, the following words shall have the following meanings::

49 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
50 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
51 hair or glass eyes.

52 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

53 A subscription certificate under an individual or group medical service agreement
54 which is issued or renewed within or without the commonwealth shall provide benefits on a
55 nondiscriminatory basis for f expenses for scalp hair prosthesis worn for hair loss suffered as a
56 result of of the treatment of any form of cancer or leukemia, or as a result of alopecia areata,
57 alopecia totalis, non-classical 21-hydroxylase, or permanent loss of scalp hair due to injury;
58 provided, however, that the alopecia is not part of the natural or premature aging process. Such
59 coverage, however, shall be subject to a written statement by the treating physician that the hair
60 prosthesis is medically necessary. Such coverage shall be subject to the same limitations and
61 guidelines as other prosthesis. Such scalp hair prosthesis coverage shall be provided at a
62 minimum at the same amount and frequency as any state insurer provides for hair prostheses for
63 hair loss due to chemotherapy.

64 SECTION 5. Chapter 176G of the General Laws, as so appearing, is hereby amended
65 by inserting after section 4V the following section:-

66 Section 4W.

67 (a) As used in this section, the following words shall have the following meanings::

68 “Prosthesis”, an artificial appliance used to replace a lost natural structure; provided,
69 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
70 hair or glass eyes.

71 “Scalp hair prosthesis”, an artificial substitute for scalp hair.

72 A health maintenance contract issued or renewed within or without the commonwealth
73 shall provide benefits on a nondiscriminatory basis for hair loss suffered as a result of the
74 treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis,
75 non-classical 21-hydroxylase or permanent loss of scalp hair due to injury; provided, however,
76 that the alopecia is not part of the natural or premature aging process; and provided, however,
77 that such coverage shall be subject to a written statement by the treating physician that the scalp
78 hair prosthesis is medically necessary. Such coverage shall be subject to the same limitations and
79 guidelines as other prosthesis. Such prosthesis coverage shall be provided at a minimum at the
80 same amount and frequency as any state insurer provides for hair prostheses for hair loss due to
81 chemotherapy.