

SENATE No. 512

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 transparency for mental health parity.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---------------------------|--------------------------------------|
| <i>John F. Keenan</i> | <i>Norfolk and Plymouth</i> |
| <i>Brian A. Joyce</i> | <i>Norfolk, Bristol and Plymouth</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> |

SENATE No. 512

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 512) of John F. Keenan, Brian A. Joyce and Elizabeth A. Malia for legislation relative to transparency for mental health parity. Financial Services.

The Commonwealth of Massachusetts

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

An Act relative to transparency for mental health parity.

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. Section 13 of chapter 176O of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by adding at the end thereof the following subsection:-

3 (e) for any grievance involving a denial of coverage for mental health services, including
4 behavioral health and substance abuse disorder services, the carrier shall provide to the insured,
5 and to the insured’s authorized representative if any, in addition to all other notices required
6 under this chapter, a statement certifying and specifically describing the following:

7 (i) That the denial of coverage by carrier, or the carrier’s utilization review organization
8 or other subcontracted entity, is in compliance with applicable state parity requirements for
9 providing coverage on a nondiscriminatory basis as defined in Chapter 80 of the Acts of 2000;

10 (ii) The quantitative and non-quantitative treatment limitations applied during review,
11 and how said limitation criteria comply with state and federal parity regulations, including those

12 codified at 42 U.S. Code § 300gg–26, and regulations implemented pursuant to section 8K of
13 chapter 26 of the General Laws; and

14 (iii) A certification that the carrier’s claim processing and utilization review methods
15 complied with the above parity requirements.