

SENATE No. 694

The Commonwealth of Massachusetts

PRESENTED BY:

Eric P. Lesser

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 ensure access to epinephrine for minors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/5/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/19/2021</i>

SENATE No. 694

By Mr. Lesser, a petition (accompanied by bill, Senate, No. 694) of Eric P. Lesser, Rebecca L. Rausch and Joanne M. Comerford for legislation to ensure access to epinephrine for minors. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to ensure access to epinephrine for minors.

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 2018 Official
2 Edition, is hereby amended by inserting after section 17Q the following section:-

3 Section 17R. (a) Any coverage offered by the commission to an active or retired
4 employee of the commonwealth insured under the group insurance commission shall provide
5 coverage at no cost for medically necessary epinephrine injectors for individuals under 18 years
6 of age for the appropriate weight-based dosage of epinephrine injectors.

7 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
8 injector approved by the United States Food and Drug Administration for the administration of
9 epinephrine and a pre-filled syringe approved by the United States Food and Drug
10 Administration and used for the administration of epinephrine that contains a pre-measured dose
11 of epinephrine that is equivalent to the dosages used in an auto-injector.

12 SECTION 2. (a) Chapter 118E of the General Laws is hereby amended by inserting after
13 section 10L the following section:-

14 Section 10M. The division and its contracted health insurers, health plans, health
15 maintenance organizations, behavioral health management firms and third-party administrators
16 under contract to a Medicaid managed care organization or primary care clinician plan shall
17 provide coverage at no cost for medically necessary epinephrine injectors for individuals under
18 18 years of age for the appropriate weight-based dosage of epinephrine injectors.

19 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
20 injector approved by the United States Food and Drug Administration for the administration of
21 epinephrine and a pre-filled syringe approved by the United States Food and Drug
22 Administration and used for the administration of epinephrine that contains a pre-measured dose
23 of epinephrine that is equivalent to the dosages used in an auto-injector.

24 SECTION 3. (a) Chapter 175 of the General Laws is hereby amended by inserting after
25 section 47KK the following section:-

26 Section 47LL. Any individual policy of accident or sickness insurance issued pursuant to
27 this chapter shall provide coverage at no cost for medically necessary epinephrine injectors for
28 individuals under 18 years of age for the appropriate weight-based dosage of epinephrine
29 injectors.

30 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
31 injector approved by the United States Food and Drug Administration for the administration of
32 epinephrine and a pre-filled syringe approved by the United States Food and Drug

33 Administration and used for the administration of epinephrine that contains a pre-measured dose
34 of epinephrine that is equivalent to the dosages used in an auto-injector.

35 SECTION 4. (a) Chapter 176A of the General Laws is hereby amended by inserting after
36 section 8MM the following section:-

37 Section 8NN. Any contract between a subscriber and the corporation under an individual
38 group or hospital service plan that is delivered, issued or renewed within the commonwealth
39 shall provide coverage at no cost for medically necessary epinephrine injectors for individuals
40 under 18 years of age for the appropriate weight-based dosage of epinephrine injectors.

41 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
42 injector approved by the United States Food and Drug Administration for the administration of
43 epinephrine and a pre-filled syringe approved by the United States Food and Drug
44 Administration and used for the administration of epinephrine that contains a pre-measured dose
45 of epinephrine that is equivalent to the dosages used in an auto-injector.

46 SECTION 5. (a) Chapter 176B of the General Laws is hereby amended by inserting after
47 section 4MM the following section:-

48 Section 4NN. (a) Any subscription certificate under an individual or group medical
49 service agreement delivered, issued or renewed within the commonwealth shall provide coverage
50 at no cost for medically necessary epinephrine injectors for individuals under 18 years of age for
51 the appropriate weight-based dosage of epinephrine injectors.

52 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
53 injector approved by the United States Food and Drug Administration for the administration of

54 epinephrine and a pre-filled syringe approved by the United States Food and Drug
55 Administration and used for the administration of epinephrine that contains a pre-measured dose
56 of epinephrine that is equivalent to the dosages used in an auto-injector.

57 SECTION 6. (a) Chapter 176G of the General Laws is hereby amended by inserting after
58 section 4EE the following section:-

59 Section 4FF. Any individual or group health maintenance contract shall provide coverage
60 at no cost for medically necessary epinephrine injectors for individuals under 18 years of age for
61 the appropriate weight-based dosage of epinephrine injectors.

62 (b) For purposes of this section, the term “epinephrine injector” shall mean an auto-
63 injector approved by the United States Food and Drug Administration for the administration of
64 epinephrine and a pre-filled syringe approved by the United States Food and Drug
65 Administration and used for the administration of epinephrine that contains a pre-measured dose
66 of epinephrine that is equivalent to the dosages used in an auto-injector.