

SENATE No. 716

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 providing health insurance coverage for scalp and facial hair prostheses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/2/2023</i>
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	<i>2/2/2023</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/8/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/13/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/16/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/21/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>3/8/2023</i>

SENATE No. 716

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 716) of Bruce E. Tarr, Patrick M. O'Connor, Anne M. Gobi, Colleen M. Garry and other members of the General Court for legislation to provide health insurance coverage for scalp and facial hair prosthesis. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 701 OF 2021-2022.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—————

An Act providing health insurance coverage for scalp and facial hair prostheses.

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 2018 Official Edition, is hereby amended by inserting, in line 11, after the
3 words “cancer or leukemia;” the following:-

4 or as a result of alopecia areata, alopecia totalis, non-classical 21-hydroxylase or
5 permanent loss of facial or scalp hair due to injury; provided, however, that the alopecia is not
6 part of the natural or premature aging process; and

7 SECTION 2. Chapter 175 of the General Laws, as so appearing, is hereby amended by
8 inserting, after section 47KK, the following section:-

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

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

14 "Scalp hair prosthesis”, an artificial substitute for scalp hair.

15 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
16 limited to, eyebrows.

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

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

32 Section 8NN. (a) As used in this section, the following words shall have the following
33 meanings:-

34 "Prosthesis", an artificial appliance used to replace a lost natural structure; provided,
35 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
36 hair, facial pigmentation or glass eyes.

37 "Scalp hair prosthesis", an artificial substitute for scalp hair.

38 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
39 limited to, eyebrows.

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

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

54 Section 4NN. (a) As used in this section, the following words shall have the following
55 meanings:-

56 "Prosthesis", an artificial appliance used to replace a lost natural structure; provided,
57 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
58 hair, facial pigmentation or glass eyes.

59 "Scalp hair prosthesis", an artificial substitute for scalp hair.

60 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
61 limited to, eyebrows.

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

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

76 Section 4FF. (a) As used in this section, the following words shall have the following
77 meanings:-

78 "Prosthesis", an artificial appliance used to replace a lost natural structure; provided,
79 however, that prosthesis shall include, but not be limited to, artificial arms, legs, breasts, scalp
80 hair, facial pigmentation or glass eyes.

81 "Scalp hair prosthesis", an artificial substitute for scalp hair.

82 "Facial medical pigmentation", an artificial substitute for facial hair, including, but not
83 limited to, eyebrows.

84 A health maintenance contract issued or renewed within or without the commonwealth
85 shall provide benefits on a nondiscriminatory basis for facial hair loss suffered as a result of the
86 treatment of any form of cancer or leukemia, or as a result of alopecia areata, alopecia totalis,
87 non-classical 21-hydroxylase or permanent loss of facial or scalp hair due to injury; provided,
88 however, that the alopecia is not part of the natural or premature aging process; and provided,
89 however, that such coverage shall be subject to a written statement by the treating physician that
90 the facial medical pigmentation or scalp hair prosthesis is medically necessary. Such coverage
91 shall be subject to the same limitations and guidelines as other prosthesis. Such prosthesis
92 coverage shall be provided at a minimum at the same amount and frequency as any state insurer
93 provides for hair prostheses for hair loss due to chemotherapy.