

**SENATE . . . . . No. 97**

**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 ensuring equal access to medical treatments essential for people with a developmental disability, intellectual disability, or autism.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/2/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/12/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/17/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/17/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/17/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/17/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>3/3/2023</i>

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By Mr. Keenan, a petition (accompanied by bill, Senate, No. 97) of John F. Keenan, Michael O. Moore, Michael D. Brady, James B. Eldridge and other members of the General Court for legislation to ensure equal access to medical treatments essential for people with a developmental disability, intellectual disability, or autism. Children, Families and Persons with Disabilities.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 115 OF 2021-2022.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act ensuring equal access to medical treatments essential for people with a developmental disability, intellectual disability, or autism.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 118E of General Laws, as appearing in the 2020 Official Edition, is hereby  
2 amended by inserting after section 79 the following section:-

3 Section 80. The division shall cover the cost of habilitative and rehabilitative medically  
4 necessary treatments for individuals aged 21 and older who are receiving coverage under this  
5 chapter and who have been diagnosed with any of the following disorders as defined in the most  
6 recent version of the diagnostic and statistical manual of mental disorders (DSM): developmental  
7 disability, an intellectual disability or autism spectrum disorder. The diagnoses must be made by  
8 a licensed physician or a licensed psychologist who determines the care to be medically

9 necessary. Treatments shall include, but shall not be limited to, applied behavior analysis  
10 provided or supervised by a licensed behavior analyst that is necessary to develop, maintain or  
11 restore, to the maximum extent practicable, the functioning of an individual. In addition, the  
12 division shall cover the cost of both dedicated and non-dedicated augmentative and alternative  
13 communication devices, including, but not limited to, medically necessary tablets.