

HOUSE No. 1085

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis

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 address barriers to HIV prevention medication.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/19/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/30/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/31/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/31/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/31/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/1/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/1/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/3/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/8/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/8/2023</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/8/2023</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/8/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/8/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/8/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/9/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>2/9/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/13/2023</i>

<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/16/2023</i>
<i>Shirley B. Arriaga</i>	<i>8th Hampden</i>	<i>2/22/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>2/23/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/23/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/7/2023</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>3/10/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/13/2023</i>

HOUSE No. 1085

By Representative Lewis of Framingham, a petition (accompanied by bill, House, No. 1085) of Jack Patrick Lewis and others for legislation to address barriers to HIV prevention medication healthcare coverage. Financial Services.

The Commonwealth of Massachusetts

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

An Act to address barriers to HIV prevention medication.

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: (a) As used in this section, the following words shall have the following
2 meanings, unless the context clearly requires otherwise:-

3 “HIV”, human immunodeficiency virus.

4 “HIV prevention drug”, any preexposure prophylaxis drug approved for the prevention of
5 HIV by the federal Food and Drug Administration, including any ancillary or support health
6 service determined by the secretary of health and human services that is necessary to: (1) ensure
7 that such a drug is prescribed or administered to a person who is not infected with HIV and has
8 no medical contraindications to the use of such a drug; and (2) monitor such a person to ensure
9 the safe and effective ongoing use of such a drug through: (A) an office visit; (B) laboratory
10 testing; (C) testing for a sexually transmitted infection; (D) medication self-management and
11 adherence counseling; (E) or any other health service specified as part of comprehensive HIV
12 prevention drug services by the United States Department of Health and Human Services, the

13 United States Centers for Disease Control and Prevention or the United States Preventive
14 Services Task Force.

15 (b)(1) Notwithstanding any general or special law to the contrary, any policy, contract or
16 certificate of health insurance subject to chapters 32A, 118E, 175, 176A, 176B, 176G, 176I, 176J
17 or 176Q of the General Laws that provides coverage for any HIV prevention drug shall not
18 require:

19 (A) any cost-sharing, including co-payments or co-insurance, or any deductible; and

20 (B) prior authorization, step therapy or any other protocol that could restrict or delay the
21 dispensing or provision of any HIV prevention drug.

22 (2) The commissioner of the division of insurance, in consultation with the secretary of
23 health and human services, shall adopt any written policies, procedures or regulations necessary
24 to implement this subsection.