

**HOUSE . . . . . No. 1723**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Natalie M. Higgins*

*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 further define medical necessity determinations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>

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By Ms. Higgins of Leominster, a petition (accompanied by bill, House, No. 1723) of Natalie M. Higgins and others for legislation to further define medical necessity determinations. Mental Health, Substance Use and Recovery.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1093 OF 2017-2018.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act to further define medical necessity determinations.

*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 8a of Chapter 118E is amended by inserting the following new  
2 sentence at the end of the definition “Medically Necessary Services” the following new sentence:  
3 “Medical necessary services for mental health treatment shall be determined by the treating  
4 clinician in consultation with the patient and noted in the patient’s medical record”.

5           SECTION 2: Section 16 (b) of Chapter 176O is amended by inserting the following new  
6 sentence at the end after the word “restriction” the following new sentence. “Medical necessity  
7 for mental health services shall be determined by the treating clinician in consultation with the  
8 patient and noted in the patient’s medical record.”