

**HOUSE . . . . . No. 901**

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The Commonwealth of Massachusetts

PRESENTED BY:

*James J. Dwyer*

*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 passage of the accompanying bill:

An Act to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual educational program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Paul Andrews</i>	<i>Massachusetts Association of School Superintendents</i> <input type="checkbox"/> <i>756 Marrett Road</i> <input type="checkbox"/> <i>Lexington, MA 02421</i>
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Matthew A. Beaton</i>	<i>11th Worcester</i>

**HOUSE . . . . . No. 901**

By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 901) of James J. Dwyer and others for legislation to require health care coverage for certain medically necessary therapy or treatment required by students. Financial Services.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act to require health care coverage for medically necessary treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a students individual educational program.

*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 is hereby amended by adding the
- 2 following section:-
- 3 Section 26. The commission shall provide to an active or retired employee of the
- 4 commonwealth who is insured under the group insurance commission benefits on a
- 5 nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational
- 6 therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a
- 7 students individual education program, individualized family service plan, individualized service
- 8 plan or the federal Individuals with Disabilities Education Improvement Act.
- 9 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section
- 10 47AA the following section:-
- 11 Section 47BB. An individual policy of accident and sickness insurance issued under section
- 12 108 that provides hospital expense and surgical expense insurance and any group blanket or
- 13 general policy of accident and sickness insurance issued under section 110 that provides hospital
- 14 expense and surgical expense insurance, which is issued or renewed within or without the
- 15 commonwealth, shall provide benefits on a nondiscriminatory basis for the medically necessary
- 16 treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or
- 17 bodily dysfunction which are required by a students individual education program,
- 18 Individualized family service plan, individualized service plan or the federal Individuals with
- 19 Disabilities Education Improvement Act.
- 20 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section

21 8DD the following section:-

22 Section 8EE. A contract between a subscriber and the corporation under an individual or group  
23 hospital service plan which is issued or renewed within or without the commonwealth shall  
24 provide benefits on a nondiscriminatory basis for the medically necessary treatment for speech  
25 therapy, occupational therapy, physical therapy, disease, illness, injury, or bodily dysfunction  
26 which are required by a students individual education program, individualized family service  
27 plan, individualized service plan or the federal Individuals with Disabilities Education  
28 Improvement Act.

29 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section  
30 4DD the following section:-

31 Section 4EE. A subscription certificate under an individual or group medical service agreement  
32 which is issued or renewed within or without the commonwealth shall provide benefits on a  
33 nondiscriminatory basis for the medically necessary treatment for speech therapy, occupational  
34 therapy, physical therapy, disease, illness, injury, or bodily dysfunction which are required by a  
35 students individual education program, individualized family service plan, individualized service  
36 plan or the federal Individuals with Disabilities Education Improvement Act.

37 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section  
38 4V the following section:-

39 Section 4W. A health maintenance contract issued or renewed within or without the  
40 commonwealth shall provide benefits on a nondiscriminatory basis for the medically necessary  
41 treatment for speech therapy, occupational therapy, physical therapy, disease, illness, injury, or  
42 bodily dysfunction which are required by a students individual education program,  
43 individualized family service plan, individualized service plan or the federal Individuals with  
44 Disabilities Education Improvement Act.

45 SECTION 6. All policies, contracts and certificates of health insurance subject to section 26 of  
46 chapter 32A, section 47BB of chapter 175, section 8EE of chapter 176A, section 4EE of chapter  
47 176B, and section 4W of chapter 176G of the General Laws which are delivered, issued or  
48 renewed on or after January 1, 2011 shall conform with the provisions of this act. Form filings  
49 implementing this act shall be subject to the approval of the commissioner of insurance.

50 SECTION 8. This act shall take effect on January 1, 2014.

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