

HOUSE No. 991

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

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 relative to reimbursement for recovery peer specialists.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/20/2023</i>

HOUSE No. 991

By Representative Decker of Cambridge, a petition (accompanied by bill, House, No. 991) of Marjorie C. Decker relative to reimbursement for recovery peer specialists. Financial Services.

The Commonwealth of Massachusetts

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

An Act relative to reimbursement for recovery peer specialists.

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, as appearing in the 2020 Official
2 Edition, is hereby amended by adding the following new section:-

3 Section 31. (a) The commission shall provide to any active or retired employee of the
4 commonwealth who is insured under the group insurance commission coverage for the provision
5 of behavioral health or substance use disorder services provided by peer support specialists,
6 including but not limited to, peer recovery coaches and recovery support navigators, regardless
7 of the setting these services are provided in. This coverage shall include coverage of peer
8 recovery coaches and recovery support navigators who are employed by health care facilities and
9 who only provide recovery coach or recovery support navigator services for patients while the
10 patient is being treated in an emergency department, acute care hospital, freestanding psychiatric
11 hospital, or substance use disorder facility. The commission shall include reimbursement for the
12 provision of said services via telemedicine, electronic or telephonic consultation. The contractual
13 rate for these services may be no less than the prevailing MassHealth rate for peer recovery

14 coach services or recovery support navigator services. The benefits in this section shall not be
15 subject to any deductible, coinsurance, copayments, or out-of-pocket limits. Peer support
16 specialist services, including peer recovery coach services and recovery support navigator
17 services shall be deemed medically necessary and shall not require prior authorization.

18 SECTION 2. Chapter 118E of the General Laws, as appearing in the 2020 Official
19 Edition, is hereby amended by adding the following new section:-

20 Section 83. (a) The division and its contracted health insurers, health plans, health
21 maintenance organizations, behavioral health management firms and third-party administrators
22 under contract to a Medicaid managed care organization, accountable care organization, or
23 primary care clinician plan shall provide coverage for the provision of behavioral health or
24 substance use disorder services provided by peer support specialists, including but not limited to,
25 peer recovery coaches, and recovery support navigators, regardless of the setting these services
26 are provided in. This coverage shall include coverage of peer recovery coaches and recovery
27 support navigators who are employed by health care facilities and who only provide recovery
28 coach or recovery support navigator services for patients while the patient is being treated in an
29 emergency department, acute care hospital, freestanding psychiatric hospital, or substance use
30 disorder facility. The division and its contracted health insurers, health plans, health maintenance
31 organizations, behavioral health management firms and third-party administrators shall include
32 reimbursement for the provision of said services via telemedicine, electronic or telephonic
33 consultation. The benefits in this section shall not be subject to any deductible, coinsurance,
34 copayments, or out-of-pocket limits. Peer support specialist services, including peer recovery
35 coach services and recovery support navigator services shall be deemed medically necessary and
36 shall not require prior authorization by an insurer.

37 SECTION 3. Chapter 175 of the General Laws, as so appearing, is hereby amended by
38 inserting after section 4TT the following new section:-

39 Section 47UU. (a) Any policy, contract, agreement, plan or certificate of insurance
40 issued, delivered or renewed within the commonwealth, which is considered creditable coverage
41 under section 1 of chapter 118M, shall provide coverage for the provision of behavioral health or
42 substance use disorder services provided by peer support specialists, including but not limited to,
43 peer recovery coaches and recovery support navigators, regardless of the setting these services
44 are provided in. This coverage shall include coverage of peer recovery coaches and recovery
45 support navigators who are employed by health care facilities and who only provide recovery
46 coach or recovery support navigator services for patients while the patient is being treated in an
47 emergency department, acute care hospital, freestanding psychiatric hospital, or substance use
48 disorder facility. The policy, contract, agreement, plan or certificate of insurance shall include
49 reimbursement for the provision of said services via telemedicine, electronic or telephonic
50 consultation. The contractual rate for these services may be no less than the prevailing
51 MassHealth rate for peer recovery coach services or recovery support navigator services. The
52 benefits in this section shall not be subject to any deductible, coinsurance, copayments, or out-of-
53 pocket limits. Peer support specialist services, including peer recovery coach services and
54 recovery support navigator services shall be deemed medically necessary and shall not require
55 prior authorization

56 SECTION 4. Chapter 176A of the General Laws, as so appearing, is hereby amended by
57 inserting after section 8UU the following new section:-

58 Section 8VV. (a) Any contract between a subscriber and the corporation under an
59 individual or group hospital service plan that is delivered, issued, or renewed within the
60 commonwealth shall provide coverage for the provision of behavioral health or substance use
61 disorder services provided by peer support specialists, including but not limited to, peer recovery
62 coaches and recovery support navigators, regardless of the setting these services are provided in.
63 This coverage shall include coverage of peer recovery coaches and recovery support navigators
64 who are employed by health care facilities and who only provide recovery coach or recovery
65 support navigator services for patients while the patient is being treated in an emergency
66 department, acute care hospital, freestanding psychiatric hospital, or substance use disorder
67 facility. The contract shall include reimbursement for the provision of said services via
68 telemedicine, electronic or telephonic consultation. The contractual rate for these services may
69 be no less than the prevailing MassHealth rate for peer recovery coach services or recovery
70 support navigator services. The benefits in this section shall not be subject to any deductible,
71 coinsurance, copayments, or out-of-pocket limits. Peer support specialist services, including peer
72 recovery coach services and recovery support navigator services shall be deemed medically
73 necessary and shall not require prior authorization.

74 SECTION 5. Chapter 176B of the General Laws, as so appearing, is hereby amended by
75 adding the following new section after section 4UU:

76 Section 4VV. (a) Any subscription certificate under an individual or group medical
77 service agreement delivered, issued, or renewed within the commonwealth shall provide
78 coverage for the provision of behavioral health or substance use disorder services provided by
79 peer support specialists, including but not limited to, peer recovery coaches and recovery support
80 navigators, regardless of the setting these services are provided in. This coverage shall include

81 coverage of peer recovery coaches and recovery support navigators who are employed by health
82 care facilities and who only provide recovery coach or recovery support navigator services for
83 patients while the patient is being treated in an emergency department, acute care hospital,
84 freestanding psychiatric hospital, or substance use disorder facility. The subscription certificate
85 shall include reimbursement for the provision of said services via telemedicine, electronic or
86 telephonic consultation. The contractual rate for these services may be no less than the prevailing
87 MassHealth rate for peer recovery coach services or recovery support navigator services. The
88 benefits in this section shall not be subject to any deductible, coinsurance, copayments, or out-of-
89 pocket limits. Peer support specialist services, including peer recovery coach services and
90 recovery support navigator services shall be deemed medically necessary and shall not require
91 prior authorization.

92 SECTION 6. Chapter 176G of the General Laws, as so appearing, is hereby amended by
93 inserting after section 4MM the following new section:-

94 Section 4NN. (a) An individual or group health maintenance contract that is issued or
95 renewed within or without the commonwealth shall provide coverage for the provision of
96 behavioral health or substance use disorder services provided by peer support specialists,
97 including but not limited to, peer recovery coaches and recovery support navigators, regardless
98 of the setting these services are provided in. This coverage shall include coverage of peer
99 recovery coaches and recovery support navigators who are employed by health care facilities and
100 who only provide recovery coach or recovery support navigator services for patients while the
101 patient is being treated in an emergency department, acute care hospital, freestanding psychiatric
102 hospital, or substance use disorder facility. The individual or group health maintenance contract
103 shall include reimbursement for the provision of said services via telemedicine, electronic or

104 telephonic consultation. The contractual rate for these services may be no less than the prevailing
105 MassHealth rate for peer recovery coach services or recovery support navigator services. The
106 benefits in this section shall not be subject to any deductible, coinsurance, copayments, or out-of-
107 pocket limits. Peer support specialist services, including peer recovery coach services and
108 recovery support navigator services shall be deemed medically necessary and shall not require
109 prior authorization.

110 SECTION 7. Notwithstanding any general or special law to the contrary, the division of
111 insurance, in consultation with the division of medical assistance, shall promulgate regulations or
112 issue sub-regulatory guidance to require carriers reimburse acute care hospitals and clinics
113 licensed under chapter 111 of the General laws, for the provision of behavioral health or
114 substance use disorder services provided by peer support specialists, including but not limited to,
115 peer recovery coaches and recovery support navigators. The regulations or sub-regulatory
116 guidance shall include reimbursement for the provision of said services via telemedicine,
117 electronic or telephonic consultation.

118 SECTION 8. Notwithstanding any general or special law to the contrary, the bureau of
119 substance addiction services within the department of public health shall conduct a
120 comprehensive report addressing barriers to certification, credentialing, and other employment
121 and practice requirements of peer recovery specialists, including peer recovery coaches and
122 recovery support navigators. The report shall include, but not be limited to, (i) cost barriers for
123 individuals with lived experience, including but not limited to, application and examination fees
124 for initial certification and credentialing, (ii) cost barriers to certification and credentialing
125 renewals, (iii) cost and reimbursement barriers for hospitals and clinics licensed under chapter
126 111 to hire, train, and retain peer recovery coaches and peer support navigators, (iv) eligibility

127 requirements for certification and credentialing, and (v) access to training programs and
128 resources. The report shall also include recommendations to address said barriers. The
129 department shall submit a copy of the report to the executive office of health and human
130 services, the clerks of the senate and house of representatives, and the joint committee on mental
131 health, substance use, and recovery within 90 days of the effective date of this act.

132 SECTION 9. Notwithstanding any general or special law to the contrary, the bureau of
133 substance addiction services within the department of public health shall establish or arrange for
134 a comprehensive peer support program to provide mentorship, technical assistance, and support
135 resources for the wellbeing of peer support specialists, including, but not limited to, peer
136 recovery coaches and recovery support navigators. The program shall include, but not be limited
137 to, a network for peer-to-peer trainings, education, mentorship, counseling and support;
138 educational and other clinical support materials; technical assistance for certification,
139 credentialing, and other employment and practice requirements; and billing technical assistance
140 for organizations that employ peer support specialists, including peer recovery coaches and
141 recovery support navigators.