

**SENATE . . . . . No. 00403**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Frederick E. Berry*

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*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 relative to physician services provided by physician assistants..

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PETITION OF:

NAME:

*Frederick E. Berry*

DISTRICT/ADDRESS:

*Second Essex*

# SENATE . . . . . No. 00403

By Mr. Berry, petition (accompanied by bill, Senate, No. 403) of Berry for legislation relative to the payment of claims for physician services provided by physician assistants [Joint Committee on Financial Services].

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 948 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to physician services provided by physician assistants..

*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 175 of the General Laws is hereby amended by inserting after section  
2 47U, inserted by section 8 of chapter 141 of the acts of 2000, the following section:-

3 Section 47V. No individual or group accident and health insurance policies and health  
4 service contracts can refuse to reimburse a physician at the full rate for necessary medical or  
5 surgical services provided by a physician assistant practicing under the supervision of a  
6 physician if the policy or contract would have paid for the same services when provided by a  
7 physician. Individual or group accident and health insurance policies and health service  
8 contracts cannot impose a practice or supervision restriction which is inconsistent or more  
9 restrictive than state law. Provided, however, that the following conditions are met:(1) the

10 service rendered is within the scope of practice of physician assistants pursuant to section 9E of  
11 said chapter 112; (2) such service is provided in compliance with all other requirements of law,  
12 including a formal supervisory arrangement with a physician as provided for by said section 9E  
13 (3) the policy or contract provides benefits for such service if rendered by a registered physician  
14 in the commonwealth

15 Section 2. Chapter 176A of the General Laws is hereby amended by inserting after  
16 section 8Z, the following section:-

17 Section 8V. No contract or subscription certificate between an insured and the  
18 corporation can refuse to reimburse a physician at the full rate for necessary medical or surgical  
19 services provided by a physician assistant, certified by the board of registration of physician  
20 assistants pursuant to the provisions of section 9F of chapter 112, practicing under the  
21 supervision of a physician if the contract or subscription certificate would have paid for the same  
22 services when provided by a physician. A contract or subscription certificate between an insured  
23 and the corporation cannot impose a practice or supervision restriction which is inconsistent or  
24 more restrictive than state law; provided, however, that the following conditions are met: (1) the  
25 service rendered is within the scope of practice of physician assistants pursuant to section 9E of  
26 said chapter 112; (2) such service is provided in compliance with all other requirements of law,  
27 including a formal supervisory arrangement with a physician as provided for by said section 9E;  
28 and (3) the contract or subscription certificate provided benefits for such service if rendered by a  
29 registered physician in the commonwealth.

30 Section 3. Chapter 176B of the General Laws is hereby amended by inserting after  
31 section 4U, inserted by section 4R the following section:-

32           Section 4V. No contract or subscription certificate between an insured and the  
33 corporation can refuse to reimburse a physician at the full rate for necessary medical or surgical  
34 services provided by a physician assistant, certified by the board of registration of physician  
35 assistants pursuant to the provisions of section 9F of chapter 112, practicing under the  
36 supervision of a physician if the contract or subscription certificate would have paid for the same  
37 services when provided by a physician. A contract or subscription certificate between an insured  
38 and the corporation cannot impose a practice or supervision restriction which is inconsistent or  
39 more restrictive than state law; provided, however, that the following conditions are met: (1) the  
40 service rendered is within the scope of practice of physician assistants pursuant to section 9E of  
41 said chapter 112; (2) such service is provided in compliance with all other requirements of law,  
42 including a formal supervisory arrangement with a physician as provided for by said section 9E;  
43 and (3) the contract or subscription certificate provides benefits for such service if rendered by a  
44 registered physician in the commonwealth. No such contract or subscription certificate shall  
45 deny payment for such services solely on the basis that the service was provided by a physician  
46 assistant.

47           Section 4. The first paragraph of section 4 of chapter 176G of the General Laws is  
48 hereby amended by adding the following sentence:- Such health maintenance contract shall also  
49 provide coverage for the services rendered by a certified registered physician assistant, as set  
50 forth in section 47V of chapter 175, subject to the provisions of said section.