

SENATE No. 547

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. 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 increase access to children’s mental health services in the community.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|--------------------------------|-------------------------------------|------------------|
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | |
| <i>Ruth B. Balser</i> | <i>12th Middlesex</i> | <i>1/23/2017</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> | <i>1/24/2017</i> |
| <i>Diana DiZoglio</i> | <i>14th Essex</i> | <i>1/24/2017</i> |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> | <i>1/24/2017</i> |
| <i>Barbara A. L'Italien</i> | <i>Second Essex and Middlesex</i> | <i>1/25/2017</i> |
| <i>Jack Lewis</i> | <i>7th Middlesex</i> | <i>1/26/2017</i> |
| <i>Jay R. Kaufman</i> | <i>15th Middlesex</i> | <i>1/26/2017</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> | <i>1/26/2017</i> |
| <i>Steven Ultrino</i> | <i>33rd Middlesex</i> | <i>2/2/2017</i> |
| <i>Patricia D. Jehlen</i> | <i>Second Middlesex</i> | <i>1/30/2017</i> |
| <i>Michael D. Brady</i> | <i>Second Plymouth and Bristol</i> | <i>1/30/2017</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | <i>1/31/2017</i> |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> | <i>2/1/2017</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | <i>2/1/2017</i> |
| <i>Danielle W. Gregoire</i> | <i>4th Middlesex</i> | <i>2/1/2017</i> |
| <i>William N. Brownsberger</i> | <i>Second Suffolk and Middlesex</i> | <i>2/1/2017</i> |
| <i>Mathew Muratore</i> | <i>1st Plymouth</i> | <i>2/1/2017</i> |

| | | |
|-----------------------------|--------------------------------|-----------------|
| <i>Patrick M. O'Connor</i> | <i>Plymouth and Norfolk</i> | <i>2/1/2017</i> |
| <i>Mary S. Keefe</i> | <i>15th Worcester</i> | <i>2/2/2017</i> |
| <i>Michael F. Rush</i> | <i>Norfolk and Suffolk</i> | <i>2/2/2017</i> |
| <i>Elizabeth A. Malia</i> | <i>11th Suffolk</i> | <i>2/2/2017</i> |
| <i>Colleen M. Garry</i> | <i>36th Middlesex</i> | <i>2/2/2017</i> |
| <i>Joan B. Lovely</i> | <i>Second Essex</i> | <i>2/3/2017</i> |
| <i>Jennifer L. Flanagan</i> | <i>Worcester and Middlesex</i> | <i>2/3/2017</i> |
| <i>Sal N. DiDomenico</i> | <i>Middlesex and Suffolk</i> | <i>2/3/2017</i> |

SENATE No. 547

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 547) of Jason M. Lewis, Ruth B. Balser, Chris Walsh, Diana DiZoglio and other members of the General Court for legislation to require coverage for community and home-based behavioral health care services for certain children and adolescents with mental health disorders. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 789 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to increase access to children’s mental health services in the community.

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 inserting after
2 section 22 the following section:-

3 Section 22A. The commission shall provide to any active or retired employee of the
4 commonwealth who is insured under the group insurance commission coverage for community
5 and home-based services for children under the age of 21 diagnosed with a serious emotional
6 disturbance. Such services shall be comparable in scope to the array of services developed in
7 response to the Court’s judgment and remediation plan in the Rosie D. matter.

8 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after
9 section 47II the following section:-

10 Section 47JJ. (a) An individual policy of accident and sickness insurance issued pursuant
11 to section 108, which provides hospital expense and surgical expense insurance, and a group
12 blanket or general policy of accident and sickness insurance issued pursuant to section 110,
13 which provides hospital expense and surgical expense insurance, which is issued or renewed
14 within or without the commonwealth, shall provide coverage for community and home-based
15 services for children under the age of 21 diagnosed with a serious emotional disturbance. Such
16 services shall be comparable in scope to the array of services developed in response to the
17 Court’s judgment and remediation plan in the Rosie D. matter.

18 (b) The coverage of community and home-based services required under this section shall
19 apply to small group health benefit plans subject to chapter 176J and nongroup health benefit
20 plans subject to chapter 176M.

21 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
22 section 8KK the following section:-

23 Section 8LL. A contract between a subscriber and the corporation under an individual or
24 group hospital service plan which is issued or renewed within or without the commonwealth
25 shall provide to residents of the commonwealth and to all individual subscribers and members
26 and group members having a principal place of employment in the commonwealth coverage for
27 community and home-based services for children under the age of 21 diagnosed with a serious
28 emotional disturbance. Such services shall be comparable in scope to the array of services
29 developed in response to the Court’s judgment and remediation plan in the Rosie D. matter.

30 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after
31 section 4KK the following section:-

32 Section 4LL. A subscription certificate under an individual or group medical service
33 agreement which is issued or renewed within or without the commonwealth shall to residents of
34 the commonwealth and to all individual subscribers and members within the commonwealth and
35 to all group members having a principal place of employment in the commonwealth coverage for
36 community and home-based services for children under the age of 21 diagnosed with a serious
37 emotional disturbance. Such services shall be comparable in scope to the array of services
38 developed in response to the Court’s judgment and remediation plan in the Rosie D. matter.

39 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
40 section 4CC the following section:-

41 Section 4DD. A health maintenance contract issued or renewed within or without the
42 commonwealth shall provide to residents of the commonwealth and to all members or enrollees
43 having a principal place of employment in the commonwealth coverage for community and
44 home-based services for children under the age of 21 diagnosed with a serious emotional
45 disturbance. Such services shall be comparable in scope to the array of services developed in
46 response to the Court’s judgment and remediation plan in the Rosie D. matter.

47 SECTION 7. All policies, contracts and certificates of health insurance subject to section
48 22A of chapter 32A, section 47EE of chapter 175, section 8GG of chapter 176A, section 4GG of
49 chapter 176B, or section 4Y of chapter 176G of the General Laws that are delivered, issued or
50 renewed on or after July 1, 2016 shall conform with this act. Form filings implementing this act
51 shall be subject to the approval of the commissioner of insurance.

52 SECTION 8. The commissioner of insurance shall promulgate regulations necessary to
53 implement this chapter.

SECTION 9. This act shall take effect on July 1, 2018.