HOUSE DOCKET, NO. FILED ON: 1/5/2009

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

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Louis L. Kafka**

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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 the treatment of cleft palate and cleft lip.

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PETITION OF:

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| --- | --- |
| Name: | District/Address: |
| Louis L. Kafka | 8th Norfolk |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4283 OF .]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

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An Act Relative to the treatment of cleft palate and cleft lip..

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

 SECTION 1. Chapter 32A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following section:

Section 17J. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 2.  Chapter 118E, is hereby amended by adding the following section:

Section 61. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 3.  Section 108 of Chapter 175 is hereby amended by adding the following section:

Section K. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 4.  Section 110 of Chapter 175 is hereby amended by adding the following section:

Section N. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 5.  Chapter 176A of the General Laws is hereby amended by adding the following section:

Section 8CC. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 6.  Chapter 176B of the General Laws is hereby amended by adding the following section:

Section 4CC. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 7.  Chapter 176G of the General Laws is hereby amended by adding the following section:

Section 4U. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.

SECTION 8.  Chapter 176I of the General Laws is hereby amended by adding the following section:

Section 12. Notwithstanding any general or special law or rule or regulation to the contrary, a health insurance policy that covers a child under the age of 18 must provide coverage for treatment of cleft lip and cleft palate for the child.  The coverage must include benefits for medical, dental, oral and facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic treatment and management, preventative and restorative dentistry to insure good health and adequate dental structures for orthodontic treatment or prosthetic management therapy, speech therapy, audiology, and nutrition services, only if such services are prescribed by the treating physician or surgeon and such physician or surgeon certifies that such services are medically necessary and consequent to the treatment of the cleft lip or palate.  The coverage required by this section is subject to the terms and conditions applicable to other benefits.  Payment for dental or orthodontic treatment not related to the management of the congenital condition of cleft lip and cleft palate shall not be covered under this provision.