

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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.

PETITION OF:

NAME:

Louis L. Kafka

DISTRICT/ADDRESS:

8th Norfolk

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

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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