

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

David P. Linsky

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 curtailing smoking addiction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David P. Linsky	5th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 997 OF 2007-2008.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT CURTAILING SMOKING ADDICTION.

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 17H the following section:—
3 Section 17I. 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 cost of
5 nicotine based and non-nicotine based smoking cessation products to eligible enrollees provided
6 that an enrollee shall be provided coverage of no more than two smoking cessation product
7 therapies in a calendar year, and that the products are made available in a manner consistent with
8 existing laws and regulations.

9 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section
10 110K the following section:—
11 Section 110L. Any individual policy of accident and sickness insurance issued pursuant to
12 section 108, and any group policy of accident and sickness insurance issued pursuant to section
13 110 shall provide coverage for nicotine based and non-nicotine based smoking cessation
14 products to eligible enrollees provided that an enrollee shall be provided coverage of no more
15 than two smoking cessation product therapies in a calendar year, and that the products are made
16 available in a manner consistent with existing laws and regulations.

17 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section 8U
18 the following section:—
19 Section 8V. Any contract between a subscriber and the corporation under an individual or group
20 hospital service plan that shall be delivered, issued or renewed in the commonwealth shall
21 provide, as benefits to all individual subscribers or members having a principal place of

22 employment within the commonwealth, coverage for nicotine based and non-nicotine based
23 smoking cessation products to eligible enrollees provided that an enrollee shall be provided
24 coverage of no more than two smoking cessation product therapies in a calendar year, and that
25 the products are made available in a manner consistent with existing laws and regulations.

26 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section 4U
27 the following section:—

28 Section 4V. Any subscription certificate under an individual or group medical service agreement
29 that shall be delivered, issued or renewed in the commonwealth shall provide as a benefit for all
30 individual subscribers or member within the commonwealth and all group members having a
31 principal place of employment within the commonwealth, coverage for nicotine based and non-
32 nicotine based smoking cessation products to eligible enrollees provided that an enrollee shall be
33 provided coverage of no more than two smoking cessation product therapies in a calendar year,
34 and that the products are made available in a manner consistent with existing laws and
35 regulations.

36 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section
37 4M, the following section:—

38 Section 4N. Any group health maintenance contract shall provide coverage for nicotine based
39 and non-nicotine based smoking cessation products to eligible enrollees provided that an enrollee
40 shall be provided coverage of no more than two smoking cessation product therapies in a
41 calendar year, and that the products are made available in a manner consistent with existing laws
42 and regulations.