

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

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 to include fluoride varnish service in all health insurance coverage in the commonwealth.

PETITION OF:

NAME:

John W. Scibak

DISTRICT/ADDRESS:

2nd Hampshire

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO INCLUDE FLUORIDE VARNISH SERVICE IN ALL HEALTH INSURANCE COVERAGE IN THE COMMONWEALTH.

*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 adding the following
2 section:—

3

4 Section 25. The commission shall provide to any active or retired employee of the
5 commonwealth who is insured under the commission coverage for fluoride varnish for moderate to high
6 caries risk patients. The department of public health shall promulgate rules and regulations establishing
7 criteria for eligibility for coverage hereunder, provided that Qualified Physicians, Physician's Assistants,
8 Nurse Practitioners, Registered Nurses, and Licensed Practical Nurses, and Certified Medical Assistants
9 who have met the training requirements outlined by the department of public health shall provide this
10 service.

11 SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 47Z
12 the following section:—

13 Section 47AA. Any blanket or general policy of insurance, except a blanket or general
14 policy of insurance which provides supplemental coverage to Medicare or other governmental
15 programs, described in subdivision (A), (C) or (D) of section 110 which provides hospital
16 expense and surgical expense insurance and which is issued or subsequently renewed by
17 agreement between the insurer and the policy holder, within or without the commonwealth,
18 during the period this section is effective, or any policy of accident or sickness insurance as
19 described in section 108 which provides hospital expense and surgical expense insurance, except
20 a policy which provides supplemental coverage to Medicare or other governmental programs,
21 and which is delivered or issued for delivery or subsequently renewed by agreement between the

22 insurer and the policy holder in the commonwealth, during the period that this section is
23 effective, or any employees' health and welfare fund which provides hospital expense and
24 surgical expense benefits and which is promulgated or renewed to any person or group of
25 persons in the commonwealth, while this section is effective, shall provide coverage for fluoride
26 varnish for moderate to high caries risk patients. The department of public health shall
27 promulgate rules and regulations establishing criteria for eligibility for coverage hereunder,
28 provided that Qualified Physicians, Physician's Assistants, Nurse Practitioners, Registered
29 Nurses, and Licensed Practical Nurses, and Certified Medical Assistants who have met the
30 training requirements outlined by the department of public health shall provide this service.

31 SECTION 3. Chapter 176A of the General Laws is hereby amended by inserting after section
32 8BB the following section:—

33 Section 8CC. (a) A contract between a subscriber and the corporation under an
34 individual or group hospital service plan which provides hospital expense and surgical expense
35 insurance, except contracts providing supplemental coverage to Medicare or other governmental
36 programs, delivered, issued or renewed by agreement between the insurer and the policyholder,
37 within or without the commonwealth, shall provide benefits to all individual subscribers and
38 members within the commonwealth and to all group members having a principal place of
39 employment within the commonwealth for coverage for fluoride varnish for moderate to high
40 caries risk patients. The department of public health shall promulgate rules and regulations
41 establishing criteria for eligibility for coverage hereunder, provided that Qualified Physicians,
42 Physician's Assistants, Nurse Practitioners, Registered Nurses, and Licensed Practical Nurses,
43 and Certified Medical Assistants who have met the training requirements outlined by the
44 department of public health shall provide this service

45 SECTION 4. Chapter 176B of the General Laws is hereby amended by inserting after section
46 4AA the following section:—

47 Section 4BB. Any subscription certificate under an individual or group medical service
48 agreement, except certificates which provide supplemental coverage to Medicare or other
49 governmental programs that shall be delivered, issued or renewed within the commonwealth
50 shall provide, as benefits to all individual subscribers or members within the commonwealth and
51 to all group members having a principal place of employment within the commonwealth,
52 coverage for fluoride varnish for moderate to high caries risk patients. The department of public
53 health shall promulgate rules and regulations establishing criteria for eligibility for coverage
54 hereunder, provided that Qualified Physicians, Physician's Assistants, Nurse Practitioners,
55 Registered Nurses, and Licensed Practical Nurses, and Certified Medical Assistants who have
56 met the training requirements outlined by the department of public health shall provide this
57 service

58 SECTION 5. Chapter 176G of the General Laws is hereby amended by inserting after section 4S
59 the following section:—

60 Section 4T. Individual and group health maintenance contracts shall provide coverage
61 for fluoride varnish for moderate to high caries risk patients. The department of public health

62 shall promulgate rules and regulations establishing criteria for eligibility for coverage hereunder,
63 provided that Qualified Physicians, Physician's Assistants, Nurse Practitioners, Registered
64 Nurses, and Licensed Practical Nurses, and Certified Medical Assistants who have met the
65 training requirements outlined by the department of public health shall provide this service

66 SECTION 6. This act shall apply to all policies, contracts, agreements, plans or certificates of
67 insurance issued or delivered within the commonwealth on or after January 1, 2014, or upon
68 renewal to all policies, contracts, agreements, plans or certificates of insurance in effect before
69 January 1, 2010.