

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen J. Buoniconti

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 MENTAL HEALTH PARITY.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO MENTAL HEALTH PARITY.

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. Section 22 of Chapter 32A of the General Laws is hereby amended by striking
2 out subsection (a) and inserting in place the following subsection:

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4 (a) The commission shall provide to any active or retired employee of the commonwealth who is
5 insured under the group insurance commission coverage on a nondiscriminatory basis for the
6 diagnosis and treatment of the following biologically-based mental disorders, as described in
7 the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders
8 published by the American Psychiatric Association, referred to in this section as the DSM:

9 (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4) bipolar
10 disorder; (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder; (7)
11 panic disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11)
12 post traumatic stress disorders; (12) substance abuse disorders; (13) autism; and (14) any
13 biologically-based mental disorders appearing in the DSM and approved by the

14 commissioner of the department of mental health in consultation with the commissioner of
15 the division of insurance.

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17 SECTION 2. Section 47B of Chapter 175 of the General Laws is hereby amended by striking out
18 subsection (a) and inserting in place the following subsection:

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20 (a) Any individual policy of accident and sickness insurance issued pursuant to section 108,
21 which provides hospital expense and surgical expense insurance, and any group blanket or
22 general policy of accident and sickness insurance issued pursuant to section 110, which
23 provides hospital expense and surgical expense insurance, which is issued or renewed within
24 or without the commonwealth, shall provide mental health benefits on a nondiscriminatory
25 basis to residents of the commonwealth and to all policyholders having a principal place of
26 employment in the commonwealth for the diagnosis and treatment of the following
27 biologically-based mental disorders, as described in the most recent edition of the Diagnostic
28 and Statistical Manual of Mental Disorders published by the American Psychiatric
29 Association, referred to in this section as the DSM: (1) schizophrenia, (2) schizoaffective
30 disorder, (3) major depressive disorder, (4) bipolar disorder, (5) paranoia and other psychotic
31 disorders, (6) obsessive-compulsive disorder, (7) panic disorder, (8) delirium and dementia,
32 (9) affective disorders; (10) eating disorders; (11) post traumatic stress disorders; (12)
33 substance abuse disorders; (13) autism and (14) any biologically-based mental disorders
34 appearing in the DSM and approved by the commissioner of the department of mental health
35 in consultation with the commissioner of the division of insurance.

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37 SECTION 3. Section 8A of Chapter 176A of the General Laws is hereby amended by striking out
38 subsection (a) and inserting in place the following subsection:

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(a) contract between a subscriber and the corporation under an individual or group hospital service plan which is issued or renewed within or without the commonwealth shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all individual subscribers and members and group members having a principal place of employment in the commonwealth for the diagnosis and treatment of the following biologically-based mental disorders, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, referred to in this section as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4) bipolar disorder; (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder; (7) panic disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11) post traumatic stress disorder; (12) substance abuse disorders; (13) autism; and (14) any biologically-based mental disorders appearing in the DSM and approved by the commissioner of the department of mental health in consultation with the commissioner of the division of insurance.

Section 4. 4A of chapter 176B of the General Laws, is hereby amended by striking out subsection (a) and inserting in place the following subsection:

(a) A subscription certificate under an individual or group medical service agreement which is issued or renewed within or without the commonwealth shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment in the commonwealth for the diagnosis and treatment of the following biologically-based mental disorders, as described in the most recent edition of the

64 Diagnostic and Statistical Manual of Mental Disorders published by the American
65 Psychiatric Association, referred to in this section as the DSM: (1) schizophrenia; (2)
66 schizoaffective disorder; (3) major depressive disorder; (4) bipolar disorder; (5) paranoia and
67 other psychotic disorders; (6) obsessive-compulsive disorder; (7) panic disorder; (8) delirium
68 and dementia; (9) affective disorders; (10) eating disorders; (11) post traumatic stress
69 disorder; (12) substance abuse disorders; (13) autism; and (14) any biologically-based mental
70 disorders appearing in the DSM and approved by the commissioner of the department of
71 mental health in consultation with the commissioner of the division of insurance.

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73 SECTION 5. Section 4M of chapter 176G of the General Laws, is hereby amended by striking out
74 subsection (a) and inserting in place the following subsection:

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76 (a) A health maintenance contract issued or renewed within or without the commonwealth shall
77 provide mental health benefits on a nondiscriminatory basis to residents of the
78 commonwealth and to all members or enrollees having a principal place of employment in
79 the commonwealth for the diagnosis and treatment of the following biologically-based
80 mental disorders, as described in the most recent edition of the Diagnostic and Statistical
81 Manual of Mental Disorders published by the American Psychiatric Association, referred to
82 in this section as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major
83 depressive disorder; (4) bipolar disorder; (5) paranoia and other psychotic disorders; (6)
84 obsessive-compulsive disorder; (7) panic disorder; (8) delirium and dementia; (9) affective
85 disorders; (10) eating disorders; (11) post traumatic stress disorder; (12) substance abuse
86 disorders; (13) autism; and (14) any biologically-based mental disorders appearing in the
87 DSM and approved by the commissioner of the department of mental health in consultation
88 with the commissioner of the division of insurance.