

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

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 Provide Habilitative Services to the Children of the Commonwealth .

PETITION OF:

NAME:

Karen E. Spilka

DISTRICT/ADDRESS:

Second Middlesex and Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO PROVIDE HABILITATIVE SERVICES TO THE CHILDREN OF 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.

2 Chapter 32A of the General Laws is hereby amended by inserting after section 17H the
3 following section:

4 Section 17I. (A)The commission shall provide to any active or retired employee of the
5 Commonwealth who is insured under the group insurance commission under a policy, contract,
6 or plan delivered, issued for delivery, or renewed in the Commonwealth, coverage for medically
7 necessary habilitative services for persons younger than 19 years.

8 (B) For the purposes of this section "Habilitative services" means health and social services
9 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
10 and social functioning of developmentally delayed individuals, including occupational, physical,
11 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,

12 sensory and motor development, interpersonal skills, communication, and socialization; and
13 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
14 mean habilitative services that are designed to help an individual attain or retain the capability to
15 function age appropriately within the individual's environment and shall include habilitative
16 services that enhance functional ability without effecting a cure.

17 C. The commission shall provide notice annually to its insured and enrollees about the coverage
18 required under this section.

19

20 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after section
21 10A the following section:

22 Section 10B. (A) The division shall provide coverage under any such policy, contract, or plan
23 delivered, issued for delivery, or renewed in the Commonwealth for medically necessary
24 habilitative services for persons younger than 19 years.

25 (B) For the purposes of this section "Habilitative services" means health and social services
26 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
27 and social functioning of developmentally delayed individuals, including occupational, physical,
28 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,
29 sensory and motor development, interpersonal skills, communication, and socialization; and
30 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
31 mean habilitative services that are designed to help an individual attain or retain the capability to

32 function age appropriately within the individual's environment and shall include habilitative
33 services that enhance functional ability without effecting a cure.

34

35 C. The division shall provide notice annually to its insured and enrollees about the coverage
36 required under this section

37 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after section 110I
38 the following section:

39 Section 110M.(A) Any policy, contract, agreement, plan, or certificate of insurance issued,
40 delivered, or renewed within the Commonwealth shall provide coverage for medically necessary
41 habilitative services for persons younger than 19 years.

42 (B) For the purposes of this section "Habilitative services" means health and social services
43 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
44 and social functioning of developmentally delayed individuals, including occupational, physical,
45 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,
46 sensory and motor development, interpersonal skills, communication, and socialization; and
47 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
48 mean habilitative services that are designed to help an individual attain or retain the capability to
49 function age appropriately within the individual's environment and shall include habilitative
50 services that enhance functional ability without effecting a cure.

51 C. Any provider of a policy, contract, agreement, plan, or certificate of insurance shall provide
52 notice annually to its insured and enrollees about the coverage required under this section.

53 SECTION 4. Chapter 176A of the General Laws is hereby further amended by inserting after
54 section 8V the following section:-

55 Section 8W.(A) Any policy, contract, agreement, plan, or certificate of insurance issued,
56 delivered, or renewed within the Commonwealth shall provide coverage for medically necessary
57 habilitative services for persons younger than 19 years.

58 (B) For the purposes of this section "Habilitative services" means health and social services
59 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
60 and social functioning of developmentally delayed individuals, including occupational, physical,
61 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,
62 sensory and motor development, interpersonal skills, communication, and socialization; and
63 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
64 mean habilitative services that are designed to help an individual attain or retain the capability to
65 function age appropriately within the individual's environment and shall include habilitative
66 services that enhance functional ability without effecting a cure.

67 C. Any provider of a policy, contract, agreement, plan, or certificate of insurance shall provide
68 notice annually to its insured and enrollees about the coverage required under this section.

69

70 SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after section 4V
71 the following section:-

72 Section 4W. (A) Any policy, contract, agreement, plan, or certificate of insurance issued,
73 delivered, or renewed within the Commonwealth shall provide coverage for medically necessary
74 habilitative services for persons younger than 19 years.

75 (B) For the purposes of this section "Habilitative services" means health and social services
76 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
77 and social functioning of developmentally delayed individuals, including occupational, physical,
78 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,
79 sensory and motor development, interpersonal skills, communication, and socialization; and
80 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
81 mean habilitative services that are designed to help an individual attain or retain the capability to
82 function age appropriately within the individual's environment and shall include habilitative
83 services that enhance functional ability without effecting a cure.

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85 C. Any provider of a policy, contract, agreement, plan, or certificate of insurance shall provide
86 notice annually to its insured and enrollees about the coverage required under this section.

87

88 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after section 4N
89 the following section:-

90 Section 4O. (A) Any policy, contract, agreement, plan, or certificate of insurance issued,
91 delivered, or renewed within the Commonwealth shall provide coverage for medically necessary
92 habilitative services for persons younger than 19 years.

93 (B) For the purposes of this section "Habilitative services" means health and social services
94 directed toward increasing and maintaining the physical, intellectual, communicative, emotional,
95 and social functioning of developmentally delayed individuals, including occupational, physical,
96 and speech therapy; assistance, training, supervision, and monitoring in the areas of self-care,
97 sensory and motor development, interpersonal skills, communication, and socialization; and
98 reduction or elimination of maladaptive behavior; "Medically necessary habilitative services"
99 mean habilitative services that are designed to help an individual attain or retain the capability to
100 function age appropriately within the individual's environment and shall include habilitative
101 services that enhance functional ability without effecting a cure.

102 C. Any provider of a policy, contract, agreement, plan, or certificate of insurance shall provide
103 notice annually to its insured and enrollees about the coverage required under this section.