

SENATE No. 604

By Mr. Foley, a petition (accompanied by bill, Senate, No. 604) of Daniel J. Foley for legislation relative to rates to be paid by insurers to providers of medical and dental services to industrial accident patients. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT RELATIVE TO RATES TO BE PAID BY INSURERS TO PROVIDERS OF MEDICAL AND DENTAL SERVICES TO INDUSTRIAL ACCIDENT PATIENTS.

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 31 of chapter 6A of the General Laws,
2 as most recently amended by section 1 of chapter 372 of the
3 acts of 1982, is hereby amended by striking out the definition
4 of "general health supplies, care, social, rehabilitative or edu-
5 cational services and accommodations" and inserting in place
6 thereof the following definition: —

7 "General health supplies, care, social rehabilitative or edu-
8 cational services and accommodations", all supplies, care and
9 services of medical, optometric, dental, surgical, podiatric,
10 psychiatric, therapeutic, diagnostic, rehabilitative, educa-
11 tional, supportive, or geriatric nature, including inpatient and
12 outpatient hospital care and services, and accommodations in
13 hospitals, sanatoria, infirmaries, convalescent and nursing
14 homes, rest homes, facilities established, licensed or approved
15 pursuant to the provisions of chapter one hundred and eleven
16 B, and similar institutions including those providing treat-
17 ment, training, instruction and care of children and adults,
18 but excluding all such supplies, care and services of a medical
19 or dental nature provided to persons in connection with in-
20 juries for which compensation may be claimed under the pro-
21 visions of chapter one hundred fifty-two.

1 SECTION 2. Section 32 of chapter 6A of the General Laws,

2 as most recently amended by sections 1 and 2 of chapter 776
3 of the acts of 1981, is hereby amended by striking out, in the
4 first sentence of the first paragraph thereof, the following
5 words: — including the division of industrial accidents in the
6 department of labor and industries,; and is hereby further
7 amended by striking out the third paragraph thereof clause
8 numbered (4) and by renumbering clauses numbered (5) and
9 (6) of said paragraph as clauses (4) and (5) respectively.

1 SECTION 3. Chapter 152 of the General Laws is hereby
2 amended by striking out section 13, as most recently amended
3 by chapter 66 of the acts of 1979, and inserting in place there-
4 of the following new section: —

5 *Section 13.* Fees of attorneys for services adjudged com-
6 pensable under this chapter shall be subject to the approval
7 of the division. The rate payment by insurers to hospitals for
8 care adjudged compensable under this chapter shall be estab-
9 lished by the rate setting commission under chapter six A.
10 If the insurer, or the employee or any attorney fails to agree
11 as to the amount of any bill for such services, except rates
12 to be paid for general health supplies, care, social, rehabilita-
13 tive or educational services and accommodations, as defined
14 in said chapter six A, which shall be reviewable under said
15 chapter six A, either party may notify the division, which
16 shall thereupon assign the case for a conference by a mem-
17 ber thereof, in accordance with the provisions of section seven.
18 No insurer or employee shall be liable for expenses for gen-
19 eral health supplies, care, social, rehabilitative or educational
20 services and accommodations, as defined in chapter six A,
21 adjudged compensable under this chapter at a rate in excess
22 of the rate set by the rate setting commission, or in excess of
23 the rate established for that service by the aforesaid rate
24 setting commission.

25 Fees of physicians and dentists for medical and dental serv-
26 ices adjudged compensable under this chapter shall be subject
27 to the approval of the division. If the insurer, or any physi-
28 cian or dentist or the employee fails to agree as to the amount
29 of any bill for such services, either party may notify the divi-
30 sion, which shall thereupon assign the case for a conference
31 by a member thereof, in accordance with the provisions of

32 section seven. No insurer or employee shall be liable for med-
33 ical and dental expenses adjudged compensable under this
34 chapter at a rate in excess of the rate approved by the divi-
35 sion.

36 Employees shall continue to be liable for services which
37 are not adjudged compensable under this chapter.

38 Insurers shall provide information to the division concern-
39 ing charges by physicians and dentists for services adjudged
40 compensable under this chapter, in such detail and at such
41 intervals as the division shall from time to time determine
42 by regulation.

1 SECTION 4. This act shall take effect on July first, nineteen
2 hundred and eighty-three.

