

By Mr. Emilio of Haverhill, petition of Frank A. Emilio, Nicholas J. Costello and Thomas G. Palumbo for legislation to regulate payment to out-of-state providers of health care services. Health Care.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO CERTAIN HEALTH CARE PROVIDERS.

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 6A of the General Laws is hereby
2 amended by adding the following section: —

3 Section 103. The commission shall establish effective Janu-
4 ary 1 of each year rates of payment to be paid by governmental units
5 to out of state providers of health care services other than acute
6 hospitals for general health supplies, care, social, rehabilitative
7 and educational services and accommodations, which rates shall
8 be equal to the average rate paid to comparable providers within
9 the Commonwealth for similar goods, supplies or services. For
10 purposes of this section, “comparable providers” are providers
11 who are similarly licensed or provide similar goods or services.
12 The Commission shall establish annually a list of comparable
13 providers for purpose of establishing rates hereunder.

1 SECTION 2. Section 6 of chapter 118E of the General Laws
2 is hereby amended by adding the following two paragraphs: —

3 As a condition of receiving reimbursements or payment from
4 any government unit for general health supplies, care, social,
5 rehabilitative and educational services and accommodations, out
6 of state providers of health care services shall accept reimburse-
7 ment or payment at the rates established by the commission,
8 subject to a right of appeal under Chapter 6A, section thirty-six,
9 as discharging in full any and all obligations of an eligible person

10 and the governmental unit to pay, reimburse or compensate the
11 provider of health care services in any way for general health care
12 supplies, care, social, rehabilitative and educational services or
13 accommodations provided.

14 No payment shall be made to out of state providers of health
15 care services for inpatient services, except for inpatient services
16 subsequent to admission from an emergency unit unless such
17 health care providers receives pre-admission approval for such
18 inpatient services from the department.