

By Ms. Clapprood of Sharon, petition of Marjorie A. Clapprood for legislation to provide equal access to municipal hospitals. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT PROMOTING EQUITABLE ACCESS TO MUNICIPAL HOSPITALS.

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 10A of Chapter 176A of the General
2 Laws, as inserted by section 54 of chapter 23 of the acts of 1988,
3 is hereby amended by inserting at the end thereof the following
4 paragraph: —

5 Any preferred provider arrangement that is established,
6 maintained, operated, owned or offered by a nonprofit hospital
7 service corporation in accordance with the provisions of this
8 section and of chapter one hundred and seventy-six I and that
9 includes hospital services as covered services shall contract for the
10 provision of covered services with all hospitals, licensed under the
11 provisions of chapter one hundred and eleven that are owned or
12 operated by a political subdivision of the commonwealth and that
13 wish to participate in such arrangement.

1 SECTION 2. The following words as used in section three of
2 this act shall have the meanings given to them in this section unless
3 the context clearly requires otherwise:

4 "Commissioner," the commissioner of insurance.

5 "Covered person," any policy holder or other person on whose
6 behalf an organization is obligated to pay for or provide health
7 care services through a preferred provider arrangement.

8 "Covered services," health care services which an organization
9 is obligated to pay for or provide through a preferred provider
10 arrangement.

- 11 “Effective date,” the effective date of this act.
12 “Organization,” a nonprofit hospital service corporation
13 organized under chapter 176A of the General Laws.
14 “Preferred provider arrangement,” a preferred provider
15 arrangement subject to the provisions of chapter 176I of the
16 General Laws, that is established on the basis of a contract or
17 contracts entered into by an organization.

1 SECTION 3. The provisions of section 10A of chapter 176A
2 of the General Laws, as inserted by section one of this Act, shall
3 apply to preferred provider arrangements that are established,
4 maintained, operated, owned or offered by an organization and
5 that were approved by the commissioner pursuant to chapter 176I
6 of the General Laws prior to the effective date. If any such
7 arrangement has been approved by the commissioner prior to the
8 effective date but, as of the effective date, covered persons have
9 not commenced receiving covered services from or through such
10 arrangement, then such arrangement must comply with the
11 provisions of said section 10A on or before the date on which
12 covered persons first begin receiving covered services. If, prior to
13 the effective date, any such arrangement has been approved by
14 the commissioner and covered persons have begun receiving
15 covered services from or through such arrangement, then such
16 organization must comply with the provisions of said section 10A
17 within ninety days following the effective date; provided that such
18 organization may continue operating during said ninety-day
19 period. Any approval of any such arrangement issued by the
20 commissioner pursuant to chapter 176I of the General Laws shall
21 be void if such arrangement fails to comply with the provisions
22 of said section 10A by the time specified in either the second or
23 the third sentence of this section three, as the case may be.

1 SECTION 4. This act shall take effect upon its passage.