

By Mr. Shannon, a petition (accompanied by bill, Senate, No. 1702) of Charles E. Shannon, Michael Capuano, Vincent P. Ciampa, David H. Locke and Paul C. Casey for legislation to further regulate health maintenance organizations. Insurance.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Two.

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AN ACT FURTHER REGULATING HEALTH MAINTENANCE ORGANIZATIONS.

*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. Notwithstanding the provisions of any general or  
2 special law to the contrary, the commissioner of insurance shall,  
3 within fourteen days after the effective date of this act, promulgate  
4 regulations to provide, in the event of the financial failure of a  
5 health maintenance organization, for continued coverage of the  
6 members of such organization without impairment of the existing  
7 rights and benefits of such members. Such regulation shall provide  
8 that other health maintenance organizations shall participate in  
9 providing necessary coverage for the members of such failed  
10 health maintenance organizations.

1 SECTION 2. Notwithstanding the provisions of chapter one  
2 hundred and seventy-six G of the General Laws, or any other  
3 general or special law to the contrary, a health maintenance  
4 organization shall not increase the charge for its services to a  
5 member by more than five percent of the charge for such services  
6 on the effective date of this act; provided, however, that the  
7 commissioner of insurance may allow an additional charge no  
8 greater than five percent, after full financial disclosure by such  
9 organization, if said commissioner determines that such  
10 organization is financially sound and that such increase is fair and  
11 reasonable.

1 SECTION 3. This act shall take effect upon its passage.

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THE CONSTITUTION OF THE UNITED STATES

Article I, Section 1, Clause 1

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

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Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch in that State. No Person shall be a Representative who shall not have attained to the Age of twenty five Years, seven Years shall have elapsed since the Arrival of such Person into the United States, and who shall not, when elected, have seven Years been seven Years a Citizen of the United States, and who shall not, when elected, have been seven Years a Citizen of one of the States which, at the Time of the Adoption of this Constitution, were within the United States.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for a Term of six Years; and each Senator shall have the Qualifications requisite for Electors of the most numerous Branch in that State. No Person shall be a Senator who shall not have attained to the Age of thirty Years, and seven Years shall have elapsed since the Arrival of such Person into the United States, and who shall not, when elected, have been seven Years a Citizen of the United States, and who shall not, when elected, have been seven Years a Citizen of one of the States which, at the Time of the Adoption of this Constitution, were within the United States.