

ACTS, 1985. – Chaps. 714, 715.

SECTION 2. Chapter 755 of the acts of 1981 is hereby further amended, in section three by striking out the word "eighty-six", in line 2, and inserting in place thereof the word:- "eighty-eight".

Approved December 31, 1985.

EMERGENCY LETTER: January 7, 1986 @ 10:01 A.M.

Chapter 714. AN ACT REQUIRING CERTAIN DISCLOSURES TO MATERNITY PATIENTS BY ADMITTING HOSPITALS.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 70E of chapter 111 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out clauses (g) and (h) and inserting in place thereof the following three clauses:-

(g) upon request to receive an itemized bill including third party reimbursements paid toward said bill, regardless of the sources of payment;

(h) in the case of a patient suffering from any form of breast cancer, to complete information on all alternative treatments which are medically viable; and

(i) in the case of a maternity patient, at the time of pre-admission, to complete information from an admitting hospital on its annual rate of primary caesarian sections; annual rate of repeat caesarian sections; the annual percentage of women who have had a caesarian section who have had a subsequent successful vaginal birth; the annual percentage of deliveries in birthing rooms and labor-delivery-recovery-rooms; the annual percentage which were externally monitored only; the annual percentage which were internally monitored only; the annual percentage utilizing inductions, epidurals and general anesthesia; and the annual percentage of women breast-feeding upon discharge from said hospital.

SECTION 2. Data required by the provisions of section one of this act which is reported in the most recent Annual Hospital Statistical Report to the department of public health shall be made available to patients ninety days after the enactment of this legislation. Data required by this act which is not currently reported shall be made available to patients as of January thirtieth, nineteen hundred and eighty-seven.

Approved December 31, 1985.

Chapter 715. AN ACT TO ENSURE MEDICAL CARE FOR PREGNANT WOMEN AND TEENAGERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47C, as appearing in the 1984 Official Edition, the

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following section:-

Section 47D. Any blanket or general policy of insurance, except a blanket or general policy of insurance which provides supplemental coverage to medicare or other governmental programs, described in subdivision (A), (C) or (D) of section one hundred and ten which provides hospital expense and surgical expense insurance and which is issued or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, during the period this provision is effective, or any policy of accident or sickness insurance as described in section one hundred and eight which provides hospital expense and surgical expense insurance, except a policy which provides supplemental coverage to medicare or other governmental programs, and which is delivered or issued for delivery or subsequently renewed by agreement between the insurer and the policyholder in the commonwealth, during the period that this provision is effective, or any employees' health and welfare fund which provides hospital expense and surgical expense benefits and which is promulgated or renewed to any person or group of persons in the commonwealth, while this provision is effective, shall provide benefits for expense of residents of the commonwealth covered under any such policy or plan, for the expense of prenatal care, childbirth and post partum care to the same extent as provided for medical conditions not related to pregnancy.

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8F, as so appearing, the following section:-

Section 8G. Any contract, except contracts providing supplemental coverage to medicare or other governmental programs, between a subscriber and the corporation under an individual or group hospital service plan which shall be delivered or issued or renewed in the commonwealth shall provide, as a basic benefit to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth, for expense for prenatal care, childbirth and post partum care to the same extent that benefits are provided for medical conditions not related to pregnancy.

SECTION 3. Chapter 176B of the General Laws is hereby amended by inserting after section 4E, as so appearing, the following section:-

Section 4F. Any subscription certificate under an individual or group medical service agreement, except certificates which provide supplemental coverage to medicare or other governmental programs, which shall be delivered or issued or renewed in the commonwealth shall provide, as a basic benefit to all individual subscribers and members within the Commonwealth and to all group members having a principal place of employment within the commonwealth for expense for prenatal care, childbirth and post partum care to the same extent that benefits are provided for medical conditions not related to pregnancy.

SECTION 4. Section 4 of chapter 176G of the General Laws, as so appearing, is hereby amended by adding the following sentence:- Such

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health maintenance contract shall also provide coverage for prenatal care, childbirth and post partum care as set forth in section forty-seven D of chapter one hundred and seventy-five.

Approved December 31, 1985.

Chapter 716. AN ACT ESTABLISHING A COMMISSION FOR THE DEAF AND HARD OF HEARING.

Be it enacted, etc., as follows:

SECTION 1. Sections eighty-four A to eighty-four I, inclusive, of chapter six of the General Laws are hereby repealed.

SECTION 2. Chapter 6 of the General Laws is hereby amended by adding the following nine sections:–

Section 191. As used in sections one hundred and ninety-one to one hundred and ninety-nine, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:–

"Commission", the commission for the deaf and hard of hearing.

"Commissioner", the commissioner of the commission for the deaf and hard of hearing.

"Deaf", a condition of or person with severe or complete absence of auditory sensitivity where the primary effective receptive communication mode is visual or tactile or both.

"Deaf community", a cultural minority with distinct modes of visual and tactile communication, languages and social mores.

"Hard of hearing", a condition of or person with some absence of auditory sensitivity with residual hearing which may be sufficient to process linguistic information through audition with or without amplification under favorable listening conditions, or a condition of or person with other auditory handicapping conditions.

Section 192. There shall be a commission for the deaf and hard of hearing to be known as the Massachusetts commission for the deaf and hard of hearing consisting of a commissioner and an advisory board in this section and sections one hundred and ninety-three to one hundred and ninety-nine, inclusive.

The commission may apply for and accept on behalf of the commonwealth any federal, local or private grants, bequests, gifts or contributions to aid in the financing of any of the programs or policies of the commission. Such funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a separate account and shall be expended, in accordance with state law relative to appropriation, under the direction of the commissioner.

The commission may make agreements with other departments and agencies of the commonwealth and may contract with other individuals, organizations, corporations, associations or other legal entities including private agencies, or any other departments or agencies of the federal government, the commonwealth or any political subdivisions thereof, to