

By Mr. Cohen of Newton, petition of David B. Cohen for legislation to provide insurance coverage for the administration and cost of aerosolized pentamidine when prescribed for the treatment or prevention of pneumocystic carinii pneumonia. Insurance.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR COVERAGE FOR THE ADMINISTRATION AND COST OF AEROSOLIZED PENTAMIDINE.

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 175 of the General Laws, as appearing
2 in the 1990 Official Edition, is hereby amended by inserting after
3 section 47I the following section: —
4 Section 47J. Any blanket or general policy of insurance
5 described in subdivision (A), (C) or (D) or section one hundred
6 and ten which provides hospital expenses or surgical expense
7 insurance and which is delivered or issued for delivery or
8 subsequently renewed by agreement between the insurer and the
9 policyholder, within or without the commonwealth, while this
10 provision is effective, or any policy of accident and sickness
11 insurance as described in section one hundred and eight which
12 provides hospital expenses or surgical expense insurance and
13 which is delivered or issued for delivery or subsequently renewed
14 by agreement between the insurer and any resident of the com-
15 monwealth while this provision is effective, or any employees'
16 health and welfare fund which provides hospital expense and
17 surgical expense benefits and which is issued or renewed to any
18 person or group of persons in the commonwealth while this
19 provision is effective shall provide coverage for the expense of
20 aerosolized pentamidine and its administration when prescribed
21 for the treatment or prevention of pneumocystic carinii
22 pneumonia.

23 No insurer shall impose deductibles, copayments, coinsurance,
24 benefit maximums, waiting periods or any other limitations on
25 coverage for the expense of aerosolized pentamidine and its
26 administration which are different from those imposed upon
27 benefits for other services.

28 No insurer shall impose pre-existing condition exclusions or
29 pre-existing condition waiting periods on coverage for the expense
30 of aerosolized pentamidine and its administration. No insurer
31 shall use any prior diagnosis of or prior treatment for
32 pneumocystic carinii pneumonia or HIV infection as a basis for
33 excluding, limiting or otherwise restricting the availability of
34 coverage for the expense of aerosolized pentamidine and its
35 administration.

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

4 Section 8M. Any contract between a subscriber and the
5 corporation under an individual or group hospital service plan
6 which is delivered, issued for delivery or renewed in the
7 commonwealth while this provision is effective shall provide as
8 a benefit to all individual subscribers and members within the
9 commonwealth and to all group members having a principal place
10 of employment within the commonwealth coverage for the
11 expense of aerosolized pentamidine and its administration when
12 prescribed for treatment or prevention of pneumocystic carinii
13 pneumonia.

14 No hospital service corporation shall impose deductibles,
15 copayments, coinsurance, benefit maximums, waiting periods or
16 any other limitations on coverage for the expense of aerosolized
17 pentamidine and its administration which are different from those
18 imposed upon benefits for other services.

19 No hospital service corporation shall impose pre-existing
20 condition exclusions or pre-existing condition waiting periods on
21 coverage for the expense of aerosolized pentamidine and its
22 administration. No hospital service corporation shall use any
23 prior diagnosis of or prior treatment for pneumocystic carinii
24 pneumonia or HIV infection as a basis for excluding, limiting or
25 otherwise restricting the availability of coverage for the expense
26 of aerosolized pentamidine and its administration.

1 SECTION 3. Chapter 176B of the General Laws, as so appear-
2 ing, is hereby amended by inserting after section 4L the following
3 section: —

4 Section 4M. Any subscription certificate under an individual
5 or group medical service agreement, which is delivered, issued for
6 delivery or renewed in the commonwealth while this section is
7 effective shall provide as a benefit to all individual subscribers and
8 members within the commonwealth and to all group members
9 having a principal place of employment within the common-
10 wealth, coverage for the expense of aerosolized pentamidine and
11 its administration when prescribed for the treatment or prevention
12 of pneumocystic carinii pneumonia.

13 No non-profit medical service corporation shall impose
14 deductibles, copayments, coinsurance, benefit maximums,
15 waiting periods or other limitations on coverage for the expense
16 of aerosolized pentamidine and its administration which are
17 different from those imposed upon benefits for other services.

18 No non-profit medical service corporation shall impose pre-
19 existing condition exclusions or pre-existing condition waiting
20 periods on coverage for the expense of aerosolized pentamidine
21 and its administration. No non-profit medical service corporation
22 shall use any prior diagnosis of or prior treatment for
23 pneumocystic carinii pneumonia or HIV infection as a basis for
24 excluding, limiting, or otherwise restricting the availability of
25 coverage for the expense of aerosolized pentamidine and its
26 administration.

1 SECTION 4. Chapter 176G of the General Laws, as so
2 appearing, is hereby amended by inserting after section 4D the
3 following section: —

4 Section 4E. Any health maintenance contract shall provide
5 coverage for the expense of aerosolized pentamidine and its
6 administration as set forth in section forty-seven J of chapter one
7 hundred and seventy-five.

8 No health maintenance organization shall impose deductibles,
9 copayments, coinsurance, benefit maximums, waiting periods or
10 any other limitations on coverage for the expense of aerosolized
11 pentamidine and its administration which are different from those
12 imposed upon benefits for other services.

13 No health maintenance organization shall impose pre-existing
14 condition exclusions or pre-existing condition waiting periods on
15 coverage for the expense of aerosolized pentamidine and its
16 administration. No health maintenance organization shall use any
17 prior diagnosis of or prior treatment for pneumocystic carinii
18 pneumonia or HIV infection as a basis for excluding, limiting,
19 or otherwise restricting the availability of coverage for the expense
20 of aerosolized pentamidine.