

By Mr. Gately of Waltham, petition of David F. Gately and another relative to requiring insurance payments for persons treated with the drug known as botulinum-A toxin. Insurance.

**The Commonwealth of Massachusetts**

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

AN ACT REQUIRING INSURANCE PAYMENTS FOR BOTULINUM-A TOXIN.

*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 1988 Official Edition is hereby amended by adding after  
3 Section 47I, the following new section: —

4 Section 47J. Any individual policy of accident and sickness  
5 insurance issued pursuant to Section one hundred and eight, and  
6 any group blanket policy of accident and sickness insurance issued  
7 pursuant to Section one hundred and ten, shall provide coverage  
8 for the use of the drug botulinum-A toxin for which a physician  
9 has issued a written order and which are medically necessary for  
10 the treatment of Strabismus, Benign Essential Blepharospasms,  
11 Meige's Disease, Spastic Dysphonia and Spasmodic Torticollis.

1 SECTION 2. Chapter 176A of the General Laws as appearing  
2 in the 1988 Official Edition is hereby amended by adding after  
3 Section 8L, the following new section:

4 Section 8K. Any contract between a subscriber and the  
5 corporation under an individual or group hospital service plan  
6 that shall be delivered, issued or renewed in the Commonwealth  
7 shall provide coverage for the use of the drug botulinum-A toxin  
8 for which a physician has issued a written order and which are  
9 medically necessary for the treatment of Strabismus, Benign  
10 Essential Blepharospasms, Meige's Disease, Spastic Dysphonia  
11 and Spasmodic Torticollis.

1 SECTION 3. Chapter 176B of the General Laws as appearing  
2 in the 1988 Official Edition is hereby amended by adding after  
3 Section 4L, the following new section: —

4 Section 4M. Subscription certificate under an individual or  
5 group medical service agreement that shall be delivered, issued  
6 or renewed in the Commonwealth shall provide coverage for the  
7 use of the drug botulinum-A toxin for which a physician has issued  
8 a written order and which are medically necessary for the  
9 treatment of Strabismus, Benign Essential Blepharospasms,  
10 Meige's Disease, Spastic Dysphonia and Spasmodic Torticollis.

1 SECTION 4. Chapter 176G of the General Laws as appearing  
2 in the 1988 Official Edition is hereby amended by adding after  
3 Section 4D, the following new section: —

4 Section 4E. Any group health maintenance contract shall  
5 provide coverage for the use of the drug botulinum-A toxin as  
6 set forth in Section 47J of Chapter one hundred and seventy-five.

1 SECTION 5. Chapter 176I of the General Laws as appearing  
2 in the 1988 Official Edition is hereby amended by adding after  
3 section 10, the following new section: —

4 Section 11. Any organization which has entered into preferred  
5 provider arrangements shall provide coverage for the use of the  
6 drug botulinum-A toxin as set forth in section 47J of chapter one  
7 hundred and seventy-five.