

By Mr. Reinstein of Revere, petition of Kathi-Anne Reinstein and Robert E. Travaglini for legislation to further regulate insurance benefits under the law relative to health maintenance organizations. Insurance.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING INSURANCE BENEFITS.

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 1 of Chapter 176G of the General Laws,
2 as appearing in the 1992 Official Edition, is hereby amended by
3 deleting lines 47 through 50 and inserting in place thereof the
4 following:— Health Services, at least reasonably comprehensive
5 physician services on a nondiscriminatory basis, inpatient and out-
6 patient services, emergency health services, chiropractic and
7 podiatric services.

8 Section 1 of said edition is further amended by deleting lines 56
9 through 61 and inserting in place thereof the following:

10 “Nondiscriminatory,” any individual who has entered into a
11 group health maintenance contract that provides for any chiro-
12 practic, podiatric, medical, surgical service which is within the
13 lawful scope of practice of a licensed podiatrist, or chiropractor
14 shall be entitled to such services whether the service is performed
15 by a physician, or chiropractor or licensed podiatrist including
16 authorized referral services on a nondiscriminatory basis.

1 SECTION 2. Chapter 176G of the General Laws, as appearing
2 in the 1992 Official Edition, is hereby amended by adding the
3 following sections:

4 Section 4F. Every registered chiropractor shall have the right,
5 on complying with such rules and regulations the organization
6 may make, to enter into written agreement with a health mainte-
7 nance organization, doing business in the city or town where the

8 said chiropractor resides or has a usual place of business, to
9 perform chiropractic services. No restrictions shall be placed by
10 any such health maintenance organization upon its participating
11 chiropractors as to methods of diagnosis or treatment.

12 No officer, agent or employee of a health maintenance organi-
13 zation shall influence or attempt to influence a subscriber or a
14 covered dependent in the choice of a participating chiropractor.
15 Nothing in this section shall be construed to prohibit any health
16 maintenance organization from entering into written agreements
17 with its subscribers and with participating chiropractors to furnish
18 chiropractic services to subscribers and covered dependents or
19 from including chiropractic services in its health services plan nor
20 shall any health maintenance organization discriminate in any way
21 against participating chiropractors in the furnishing of chiropractic
22 services its subscribers and covered dependents.

23 Section 4G. Upon the request of a subscriber or covered depen-
24 dent for chiropractic services, the health maintenance organization
25 shall refer the subscriber or covered dependent to a participating
26 doctor of chiropractic in the geographical area nearest to the
27 subscriber's or covered dependent's residence. Benefit levels for
28 health care services rendered by non-participating providers shall
29 be at least eighty percent of the benefit levels for services
30 rendered by participating providers.