

HOUSE No. 948

By Mr. Koutoujian of Waltham, a petition (accompanied by bill, House, No. 948) of Peter J. Koutoujian and Frederick E. Berry relative to the payment of claims for physician services provided by physician assistants. Financial Services.

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act physician services provided by physician assistants.

PETITION OF:

NAME:

Peter J. Koutoujian

Frederick E. Berry

DISTRICT/ADDRESS:

10th Middlesex

Second Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PHYSICIAN SERVICES PROVIDED BY PHYSICIAN ASSISTANTS.

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 is hereby amended by inserting after
2 section 47U, inserted by section 8 of chapter 141 of the acts of 2000, the following section:-

3 Section 47V. No individual or group accident and health insurance policies and health service
4 contracts can refuse to reimburse a physician at the full rate for necessary medical or surgical
5 services provided by a physician assistant practicing under the supervision of a physician if the
6 policy or contract would have paid for the same services when provided by a
7 physician. Individual or group accident and health insurance policies and health service
8 contracts cannot impose a practice or supervision restriction which is inconsistent or more
9 restrictive than state law. Provided, however, that the following conditions are met:(1) the
10 service rendered is within the scope of practice of physician assistants pursuant to section 9E of
11 said chapter 112; (2) such service is provided in compliance with all other requirements of law,
12 including a formal supervisory arrangement with a physician as provided for by said section 9E
13 (3) the policy or contract provides benefits for such service if rendered by a registered physician
14 in the commonwealth

15 SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section
16 8Z, the following section:-

17 Section 8V. No contract or subscription certificate between an insured and the corporation can
18 refuse to reimburse a physician at the full rate for necessary medical or surgical services
19 provided by a physician assistant, certified by the board of registration of physician assistants
20 pursuant to the provisions of section 9F of chapter 112, practicing under the supervision of a
21 physician if the contract or subscription certificate would have paid for the same services when
22 provided by a physician. A contract or subscription certificate between an insured and the
23 corporation cannot impose a practice or supervision restriction which is inconsistent or more

24 restrictive than state law; provided, however, that the following conditions are met: (1) the
25 service rendered is within the scope of practice of physician assistants pursuant to section 9E of
26 said chapter 112; (2) such service is provided in compliance with all other requirements of law,
27 including a formal supervisory arrangement with a physician as provided for by said section 9E;
28 and (3) the contract or subscription certificate provided benefits for such service if rendered by a
29 registered physician in the commonwealth.

30 SECTION 3. Chapter 176B of the General Laws is hereby amended by inserting after section
31 4U, inserted by section 4R the following section:-

32 Section 4V. No contract or subscription certificate between an insured and the corporation can
33 refuse to reimburse a physician at the full rate for necessary medical or surgical services
34 provided by a physician assistant, certified by the board of registration of physician assistants
35 pursuant to the provisions of section 9F of chapter 112, practicing under the supervision of a
36 physician if the contract or subscription certificate would have paid for the same services when
37 provided by a physician. A contract or subscription certificate between an insured and the
38 corporation cannot impose a practice or supervision restriction which is inconsistent or more
39 restrictive than state law; provided, however, that the following conditions are met: (1) the
40 service rendered is within the scope of practice of physician assistants pursuant to section 9E of
41 said chapter 112; (2) such service is provided in compliance with all other requirements of law,
42 including a formal supervisory arrangement with a physician as provided for by said section 9E;
43 and (3) the contract or subscription certificate provides benefits for such service if rendered by a
44 registered physician in the commonwealth. No such contract or subscription certificate shall
45 deny payment for such services solely on the basis that the service was provided by a physician
46 assistant.

47 SECTION 4. The first paragraph of section 4 of chapter 176G of the General Laws is hereby
48 amended by adding the following sentence:- Such health maintenance contract shall also provide
49 coverage for the services rendered by a certified registered physician assistant, as set forth in
50 section 47V of chapter 175, subject to the provisions of said section.