

HOUSE No. 4859

By Mr. Murphy of Burlington, for the committee on Ways and Means, on House, No. 4668, a Bill relative to post-partum depression (House, No. 4859). July 6, 2010.

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act RELATIVE TO POST-PARTUM DEPRESSION..

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 47Z the following section:-

3 Section 47AA. A health insurance company licensed to do business in the commonwealth
4 shall submit an annual report on its activities with respect to screening for postpartum
5 depression. The report shall be filed at the end of each state fiscal year with the commissioner of
6 public health and the clerks of the house of representatives and the senate. Following receipt of
7 the reports, the commissioner of public health shall issue an annual summary of the reports,
8 including highlighting best practices and effective policies.

9 SECTION 2. The department of public health may consult with health care providers,
10 non-profits and health insurance providers regarding postpartum depression to develop a culture
11 of awareness, de-stigmatization and screening for perinatal depression so that residents of the
12 commonwealth may be assured of the most effective and affordable provision of public health
13 services possible. The department of public health shall make perinatal depression a public

14 health priority, and in consultation with the special commission on postpartum depression,
15 established in section 3, the department may develop regulations, policies and resources to
16 address postpartum depression including, but not limited to, public and professional education
17 curricula, plans and materials; referral lists that build on existing resources; and the authorization
18 of validated screening tools.

19 SECTION 3. (a) There shall be a special commission on postpartum depression to
20 provide guidance and advice to the governor, the general court and the secretary of health and
21 human services on current research on postpartum depression, including, but not limited to, best
22 and promising practices in the prevention, detection and treatment of postpartum depression and
23 to recommend policies, including legislation, to promote greater public awareness, screening and
24 treatment of postpartum depression. The special commission may conduct public hearings,
25 forums or meetings to gather information and to raise awareness of postpartum depression,
26 including the sponsorship of or participation in statewide or regional conferences.

27 (b) The commission shall be comprised of the following members: 4 members of the
28 senate, 3 of whom shall be members of the majority party appointed by the president of the
29 senate, 1 of whom shall serve as co-chair, and 1 of whom shall be a member of the minority
30 party appointed by the minority leader; 4 members of the house of representatives, 3 of whom
31 shall be members of the majority party appointed by the speaker of the house of representatives,
32 1 of whom shall serve as co-chair, and 1 of whom shall be a member of the minority party
33 appointed by the minority leader; 1 of whom shall be a representative of the Massachusetts
34 chapter of the National Association of Social Workers; 1 of whom shall be appointed jointly by
35 the Massachusetts Midwives Association and the Massachusetts Affiliate of the American
36 College of Nurse Midwives who shall be a midwife licensed to practice in the commonwealth; 1

37 of whom shall be a representative from the Nurses United for Responsible Services who shall be
38 an advance practice psychiatric nurse; 1 of whom shall be a representative from the
39 Massachusetts Coalition of Nurse Practitioners who shall be a nurse practitioner; 1 of whom
40 shall be a representative of the Massachusetts Psychological Association who shall be a
41 psychologist; 1 of whom shall be a representative from the children's behavioral health advisory
42 council established in section 16Q of chapter 6A of the General Laws; 1 of whom shall be a
43 representative from the Massachusetts Behavioral Health Partnership or a managed care
44 organization or managed care entity contracting with MassHealth; 5 of whom shall be
45 representatives of the Massachusetts Medical Society appointed in consultation with their
46 relevant specialty chapters including a pediatrician, an obstetrician, a family physician, a
47 psychiatrist and a child and adolescent psychiatrist; 2 of whom shall be appointed by the co-
48 chairs of the commission 1 of whom is a woman who has experienced postpartum depression
49 and 1 one of whom is a representative from a regionally-based nonprofit group currently serving
50 women suffering from postpartum depression; 4 of whom shall be appointed by the
51 commissioner of insurance with at least 1 representative from the Massachusetts Association of
52 Health Plans and 3 representatives from commercial health insurance carriers or managed care
53 organizations doing business in the commonwealth; and no more than 2 additional members
54 appointed by the co-chairs of the commission. The following 6 persons shall serve as ex officio
55 members: the commissioner of the department of public health; the commissioner of the
56 department of mental health; the commissioner of insurance; the commissioner of the department
57 of children and families; the commissioner of early education and care; and the director of
58 Medicaid, or their designees.

59 (c) The organizational meeting of the commission shall be convened by the co-chairs not
60 later than 60 days after the effective date of this act whether or not all of its members have been
61 appointed.

62 (d) The special commission shall make an investigation and study of postpartum
63 depression, including, but not limited to: (i) an assessment of current research on the subject and
64 whether there exist evidence-based, best or promising practices on the prevention, detection or
65 treatment of postpartum depression; (ii) a review of current policies and practices with respect to
66 screenings for postpartum depression, including frequency, locations, who administers
67 screenings, the availability of reimbursement and issues surrounding medical necessity and third-
68 party coverage; (iii) assist the department of public health, other state agencies and organizations
69 in the development of professional and public educational materials and programs on postpartum
70 depression, in the development of referral lists for postpartum depression treatment, building on
71 existing resources and in the designation of authorized validated screening tools; (iv) assist the
72 department of public health, other state agencies and organizations with respect to applications
73 for federal funding to support efforts consistent with the mission and purpose of the
74 commission; and (v) any other matters that the special considers relevant to the fulfillment of its
75 mission and purpose.

76 (e) The special commission shall file an annual report at the end of each state fiscal year
77 with the governor and the clerks of the house of representatives and the senate, who shall
78 forward the same to the joint committee on public health and the joint committee on financial
79 services, along with recommendations, if any, together with drafts of legislation necessary to
80 carry those recommendations into effect. The special commission may file such interim reports
81 and recommendations as it considers appropriate.