

By Mr. Vallee of Franklin, petition of James E. Vallee and others relative to the approval of certain health care insurance contracts. Financial Services.

The Commonwealth of Massachusetts

PETITION OF:

James E. Vallee
Scott P. Brown
Mark J. Carron

Alice Hanlon Peisch
Brian Paul Golden
Walter F. Timilty

In the Year Two Thousand and Five.

AN ACT RELATIVE TO ACCESS TO HEALTH SAVINGS ACCOUNTS.

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 2B of Chapter 175 of the General Laws,
2 as so appearing in the 2002 Official Edition, is hereby amended
3 by adding the following to the end thereof:—

4 5. The commissioner shall not disapprove of any contract on
5 the basis that the contract contains a deductible that is consistent
6 with the requirements for a high deductible health plan as defined
7 by section 223 of the Internal Revenue Code or any regulations or
8 guidance issued by the United States Department of the Treasury
9 pursuant to said section 223.

10 Notwithstanding any general or special law or regulation to the
11 contrary, any accident and health insurer authorized to conduct
12 business in the state that offers a high deductible health plan as
13 defined in section 223 of the Internal Revenue Code may apply
14 the deductible amount in the high deductible health plan to any
15 mandated health benefit, as that term is defined in section 38C of
16 chapter 3 of the General Laws.

1 SECTION 2. Section 16 of Chapter 176G of the General
2 Laws, as so appearing in the 2002 Official Edition, is hereby
3 amended by adding the following after the first paragraph:—

4 The commissioner shall not disapprove of any contract on the
5 basis that the contract contains a deductible that is consistent with
6 the requirements for a high deductible health plan as defined in
7 section 223 of the Internal Revenue Code or any regulations or
8 guidance issued by the United States Department of the Treasury
9 pursuant to said section 223.

10 Notwithstanding any general or special law or regulation to the
11 contrary, any health maintenance organization authorized to con-
12 duct business in the state that offers a high deductible health plan
13 as defined in section 223 of the Internal Revenue Code may apply
14 the deductible amount in the high deductible health plan to any
15 mandated health benefit, as that term is defined in section 38C of
16 chapter 3 of the General Laws.

1 SECTION 3. This Act shall take effect upon passage.