

**HOUSE . . . . . No. 997**

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By Mr. Linsky of Natick, petition of David Paul Linsky and others relative to requiring certain insurance policies to include coverage for nicotine based and non-nicotine based smoking cessation products. Financial Services.

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**The Commonwealth of Massachusetts**

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PETITION OF:

David Paul Linsky	Susan C. Fargo
Mark C. Montigny	Michael E. Festa
Martha M. Walz	Kathi-Anne Reinstein
Bruce E. Tarr	Cory Atkins
J. James Marzilli, Jr.	Patricia D. Jehlen
Ruth B. Balsler	John V. Fernandes

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In the Year Two Thousand and Seven.

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AN ACT CURTAILING SMOKING ADDICTION.

*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 32A of the General Laws is hereby  
2 amended by inserting after section 17G the following section:—  
3 Section 17H. The commission shall provide to any active or  
4 retired employee of the Commonwealth who is insured under the  
5 group insurance commission coverage for the cost of nicotine based  
6 and non-nicotine based smoking cessation products to eligible  
7 enrollees provided that an enrollee shall be provided coverage of no  
8 more than two smoking cessation product therapies in a calendar  
9 year, and that the products are made available in a manner consistent  
10 with existing laws and regulations.

1 SECTION 2. Chapter 175 of the General Laws is hereby amended  
2 by inserting after section 110K the following section:—  
3 Section 110L. Any individual policy of accident and sickness  
4 insurance issued pursuant to Section 108, and any group policy of  
5 accident and sickness insurance issued pursuant to Section 110 shall

6 provide coverage for nicotine based and non-nicotine based smoking  
7 cessation products to eligible enrollees provided that an enrollee  
8 shall be provided coverage of no more than two smoking cessation  
9 product therapies in a calendar year, and that the products are made  
10 available in a manner consistent with existing laws and regulations.

1 SECTION 3. Chapter 176A of the General Laws is hereby  
2 amended by inserting after section 8U the following section:—

3 Section 8V. Any contract between a subscriber and the corpora-  
4 tion under an individual or group hospital service plan that shall be  
5 delivered, issued or renewed in the commonwealth shall provide, as  
6 benefits to all individual subscribers or members having a principal  
7 place of employment within the Commonwealth, coverage for nico-  
8 tine based and non-nicotine based smoking cessation products to eli-  
9 gible enrollees provided that an enrollee shall be provided coverage  
10 of no more than two smoking cessation product therapies in a cal-  
11 endar year, and that the products are made available in a manner  
12 consistent with existing laws and regulations.

1 SECTION 4. Chapter 176B of the General Laws is hereby  
2 amended by inserting after section 4U the following section:—

3 Section 4V. Any subscription certificate under an individual or  
4 group medical service agreement that shall be delivered, issued or  
5 renewed in the Commonwealth shall provide as a benefit for all indi-  
6 vidual subscribers or member within the Commonwealth and all  
7 group members having a principal place of employment within the  
8 Commonwealth, coverage for nicotine based and non-nicotine based  
9 smoking cessation products to eligible enrollees provided that an  
10 enrollee shall be provided coverage of no more than two smoking  
11 cessation product therapies in a calendar year, and that the products  
12 are made available in a manner consistent with existing laws and  
13 regulations.

1 SECTION 5. Chapter 176G of the General Laws is hereby  
2 amended by inserting after section 4M, the following section:—

3 Section 4N. Any group health maintenance contract shall provide  
4 coverage for nicotine based and non-nicotine based smoking cessa-  
5 tion products to eligible enrollees provided that an enrollee shall be  
6 provided coverage of no more than two smoking cessation product

7 therapies in a calendar year, and that the products are made available  
8 in a manner consistent with existing laws and regulations.