

**HOUSE . . . . . No. 1063**

By Ms. Reinstein of Revere, petition of Kathi-Anne Reinstein and others for legislation to further regulate insurance benefits for chiropractic services under the law relative to health maintenance organizations. Financial Services.

**The Commonwealth of Massachusetts**

PETITION OF:

Kathi-Anne Reinstein                      Robert L. Rice, Jr.  
John J. Binienda                          Jennifer L. Flanagan  
Louis L. Kafka                              Walter F. Timilty  
Cleon H. Turner

In the Year Two Thousand and Seven.

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, as  
2     appearing in the 2004 Official Edition, is hereby amended by  
3     striking out the definition of “Health services” in lines 78 to 81 and  
4     inserting in place thereof the following definition:—  
5     “Health Services”, at least reasonably comprehensive physician  
6     services on a nondiscriminatory basis, inpatient and outpatient serv-  
7     ices, emergency health services, chiropractic and podiatric services.

1     SECTION 2. Said section 1 of said chapter is hereby further  
2     amended by striking out the definition of “Nondiscriminatory” in  
3     lines 95 to 100 and inserting in place thereof the following defini-  
4     tion:—  
5     “Nondiscriminatory,” any individual who has entered into a group  
6     health maintenance contract that provides for any chiropractic, podi-  
7     atric, medical or surgical service which is within the lawful scope of  
8     practice of a licensed podiatrist, or chiropractor shall be entitled to  
9     such services whether the service is performed by a physician, chiro-

10 practor or licensed podiatrist including authorized referral services  
11 on a nondiscriminatory basis.

1 SECTION 3. Chapter 176G of the General Laws, as appearing in  
2 the 2004 Official Edition, and amended by section 11 of chapter 172  
3 of the acts of 2006, is hereby further amended by adding the  
4 following new sections:—

5 Section 4S. Every registered chiropractor shall have the right, on  
6 complying with such rules and regulations the organization may  
7 make, to enter into written agreement with a health maintenance  
8 organization, doing business in the city or town where the chiro-  
9 practor resides or has a usual place of business, to perform chiro-  
10 practic services. No restrictions shall be placed by any such health  
11 maintenance organization upon its participating chiropractors as to  
12 methods of diagnosis or treatment. No officer, agent or employee of  
13 a health maintenance organization shall influence or attempt to influ-  
14 ence a subscriber or a covered dependent in the choice of a partici-  
15 pating chiropractor. Nothing in this section shall be construed to  
16 prohibit any health maintenance organization from entering into  
17 written agreements with its subscribers and with participating chiro-  
18 practors to furnish chiropractic services to subscribers and covered  
19 dependents or from including chiropractic services in its health serv-  
20 ices plan nor shall any health maintenance organization discriminate  
21 in any way against participating chiropractors in the furnishing of  
22 chiropractic services to its subscribers and covered dependents.

23 Section 4T. 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 sub-  
27 scriber's or covered dependent's residence. Benefit levels for health  
28 care services rendered by non-participating providers shall be at  
29 least 80% of the benefit levels for services rendered by participating  
30 providers.