

HOUSE No. 948

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:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex
Frederick E. Berry	Second Essex

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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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:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47U, inserted by section 8 of chapter 141 of the acts of 2000, the following section:-
Section 47V. No individual or group accident and health insurance policies and health service contracts can refuse to reimburse a physician at the full rate for necessary medical or surgical services provided by a physician assistant practicing under the supervision of a physician if the policy or contract would have paid for the same services when provided by a physician. Individual or group accident and health insurance policies and health service contracts cannot impose a practice or supervision restriction which is inconsistent or more restrictive than state law. Provided, however, that the following conditions are met:(1) the service rendered is within the scope of practice of physician assistants pursuant to section 9E of said chapter 112; (2) such service is provided in compliance with all other requirements of law, including a formal supervisory arrangement with a physician as provided for by said section 9E (3) the policy or contract provides benefits for such service if rendered by a registered physician in the commonwealth

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8Z, the following section:-
Section 8V. No contract or subscription certificate between an insured and the corporation can refuse to reimburse a physician at the full rate for necessary medical or surgical services provided by a physician assistant, certified by the board of registration of physician assistants pursuant to the provisions of section 9F of chapter 112, practicing under the supervision of a physician if the contract or subscription certificate would have paid for the same services when provided by a physician. A contract or subscription certificate between an insured and the corporation cannot impose a practice or supervision restriction which is inconsistent or more restrictive than state law; provided, however, that the following conditions are met: (1) the service rendered is within the scope of practice of physician assistants pursuant to section 9E of said chapter 112; (2) such service is provided in compliance with all other requirements of law, including a formal supervisory arrangement with a physician as provided for by said section 9E; and (3) the contract or subscription certificate provided benefits for such service if rendered by a registered physician in the commonwealth.

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

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

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