

# SENATE NO. 611

## **AN ACT** FACILITATING PRIVATE INSURANCE COVERAGE AND 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 5 of Chapter 176O of the General Laws, as appearing in the 2004 official  
2 edition, is hereby amended by inserting after the first paragraph the following paragraph:  
3 No carrier, including a dental or vision carrier, shall require a health, dental or vision care provider  
4 to participate in all of its health benefit plans or product offerings. A provider shall be given the  
5 opportunity to expressly accept or decline participation in a new product and such refusal to  
6 participate in a new product shall not affect participation in existing contracts or participation in the  
7 carrier's provider network. A provider shall also be given the opportunity to expressly accept or  
8 reject changes to fee schedules or capitation rates; billing or payment policies and terms; and any  
9 payment related administrative requirements prior to the carrier's amending such terms in existing  
10 contracts.

11 SECTION 2: Application of the Act

12 The provisions of this Act shall be included in all contracts between a carrier and a health care  
13 provider entered into, renewed, or amended on or after the effective date of this Act.