

# SENATE, No. 2189

## **AN ACT** PROVIDING FOR GREATER INSURANCE COVERAGE OF PROSTATE CANCER EXAMS

*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 175 of the General Laws as appearing in the 2000 Official Edition, is  
2 hereby amended by inserting after section 47S the following section:—  
3 Section 47T. Any individual policy of accident and sickness insurance issued pursuant to  
4 section 108 which provides hospital expense and surgical expense insurance and any group  
5 blanket policy of accident and sickness insurance issued pursuant to section 110 which provides  
6 hospital expense and surgical expense insurance, delivered, issued or renewed by agreement  
7 between the insurer and the policyholder, within or without the commonwealth, shall provide  
8 benefits for individuals and group members having a principal place of employment within the  
9 commonwealth for the expenses incurred in conducting a medically recognized screening  
10 examination. For purposes of this section, a screening examination shall include a digital rectal  
11 exam and a blood test called the prostate-specific antigen or “PSA” test or the most reliable,  
12 medically recognized screening test available:  
13 (1) for men aged 50 and older who have been counseled by their physician about the potential  
14 risks of prostate cancer, benefits of early detection, and treatment of prostate cancer;

15 (2) when used for the purpose of guiding patient management in monitoring the response to  
16 prostate cancer treatment;

17 (3) when used for staging in determining the need for a bone scan in patients with prostate  
18 cancer, or

19 (4) when used for male patients 40 and older who are a high risk for prostate cancer and have  
20 been counseled by their physician about the risks and benefits of prostate cancer screening,  
21 including men who are African American or who have a significant family history of prostate  
22 cancer, as determined by the treating physician.

23 The benefits provided in this section shall be subject to the same terms and conditions as for any  
24 other medical condition covered by said individual or group blanket policy.

25 SECTION 2. Chapter 176A of the General Laws, as so appearing, is hereby amended by  
26 inserting after section 8S the following section:—

27 Section 8T. Any contract between a subscriber and the corporation under an individual or group  
28 hospital service plan which provides hospital expense and surgical expense insurance, delivered,  
29 issued or renewed by agreement between the insurer and the policyholder, within or without the  
30 commonwealth, shall provide benefits for residents of the commonwealth and all group  
31 members having a principal place of employment within the commonwealth for the expenses  
32 incurred in conducting a medically recognized screening examination. For purposes of this  
33 section, a screening examination shall include a digital rectal exam and a blood test called the  
34 prostate-specific antigen or “PSA” test or the most reliable, medically recognized screening test  
35 available:

36 (1) for men aged 50 and older who have been counseled by their physician about the potential  
37 risks of prostate cancer, benefits of early detection, and treatment of prostate cancer;

38 (2) when used for the purpose of guiding patient management in monitoring the response to  
39 prostate cancer treatment;

40 (3) when used for staging in determining the need for a bone scan in patients with prostate  
41 cancer; or

42 (4) when used for male patients 40 and older who are a high risk for prostate cancer and have  
43 been counseled by their physician about the risks and benefits of prostate cancer screening,  
44 including men who are African American or who have a significant family history of prostate  
45 cancer, as determined by the treating physician.

46 The benefits provided in this section shall be subject to the same terms and conditions as for any  
47 other medical condition covered by said individual or group blanket policy.

48 SECTION 3.

49 Chapter 176B of the General Laws, as so appearing, is amended by inserting after section 4Q  
50 the following section:—

51 Section 4R. Any subscription certificate under an individual or group medical service agreement  
52 which provides hospital expense and surgical expense insurance, delivered, issued or renewed  
53 by agreement between the insurer and the policyholder, within or without the commonwealth,  
54 shall provide benefits for residents of the commonwealth and to all group members having a  
55 principal place of employment within the commonwealth for the expenses incurred in  
56 conducting a medically recognized screening examination. For purposes of this section, a  
57 screening examination shall include a digital rectal exam and a blood test called the prostate-  
58 specific antigen or “PSA” test or the most reliable, medically recognized screening test  
59 available:

60 (1) for men aged 50 and older who have been counseled by their physician about the potential

61 risks of prostate cancer, benefits of early detection, and treatment of prostate cancer;

62 (2) when used for the purpose of guiding patient management in monitoring the response to

63 prostate cancer treatment;

64 (3) when used for staging in determining the need for a bone scan in patients with prostate

65 cancer; or

66 (4) when used for male patients 40 and older who are a high risk for prostate cancer and have

67 been counseled by their physician about the risks and benefits of prostate cancer screening,

68 including men who are African American or who have a significant family history of prostate

69 cancer, as determined by the treating physician.

70 The benefits provided in this section shall be subject to the same terms and conditions as for any

71 other medical condition covered by said individual or group blanket policy.

72 SECTION 4. Chapter 176G, as so appearing, is hereby amended by inserting after section 4I

73 the following section:—

74 Section 4J. Any individual or group health maintenance contract, which provides hospital

75 expense and surgical expense insurance, delivered, issued or renewed by agreement between the

76 insurer and the policyholder, within or without the commonwealth, shall provide benefits for

77 residents of the commonwealth and to all group members having a principal place of

78 employment within the commonwealth for the expenses incurred in conducting a medically

79 recognized screening examination. For purposes of this section, a screening examination shall

80 include a digital rectal exam and a blood test called the prostate-specific antigen or “PSA” test

81 or the most reliable, medically recognized screening test available:

82 (1) for men aged 50 and older who have been counseled by their physician about the potential

83 risks of prostate cancer, benefits of early detection, and treatment of prostate cancer;

84 (2) when used for the purpose of guiding patient management in monitoring the response to  
85 prostate cancer treatment;

86 (3) when used for staging in determining the need for a bone scan in patients with prostate  
87 cancer, or

88 (4) when used for male patients 40 and older who are a high risk for prostate cancer and have  
89 been counseled by their physician about the risks and benefits of prostate cancer screening,  
90 including men who are African American or who have a significant family history of prostate  
91 cancer, as determined by the treating physician.

92 The benefits provided in this section shall be subject to the same terms and conditions as for any  
93 other medical condition covered by said individual or group blanket policy.