

**SENATE . . . . . No. 1029**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

**Stephen J. Buoniconti**

*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 RELATIVE TO MENTAL HEALTH PARITY.**

PETITION OF:

NAME:

Stephen J. Buoniconti

DISTRICT/ADDRESS:

Hampden

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT RELATIVE TO MENTAL HEALTH PARITY.

*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 22 of Chapter 32A of the General Laws is hereby amended by striking  
2 out subsection (a) and inserting in place the following subsection:

3  
4           (a) The commission shall provide to any active or retired employee of the commonwealth who is  
5 insured under the group insurance commission coverage on a nondiscriminatory basis for the  
6 diagnosis and treatment of the following biologically-based mental disorders, as described in  
7 the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders  
8 published by the American Psychiatric Association, referred to in this section as the DSM:  
9 (1) schizophrenia; (2) schizoaffective disorder; (3) major depressive disorder; (4) bipolar  
10 disorder; (5) paranoia and other psychotic disorders; (6) obsessive-compulsive disorder; (7)  
11 panic disorder; (8) delirium and dementia; (9) affective disorders; (10) eating disorders; (11)  
12 post traumatic stress disorders; (12) substance abuse disorders; (13) autism; and (14) any  
13 biologically-based mental disorders appearing in the DSM and approved by the  
14 commissioner of the department of mental health in consultation with the commissioner of  
15 the division of insurance.

16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39

SECTION 2. Section 47B of Chapter 175 of the General Laws is hereby amended by striking out subsection (a) and inserting in place the following subsection:

(a) Any individual policy of accident and sickness insurance issued pursuant to section 108, which provides hospital expense and surgical expense insurance, and any group blanket or general policy of accident and sickness insurance issued pursuant to section 110, which provides hospital expense and surgical expense insurance, which is issued or renewed within or without the commonwealth, shall provide mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to all policyholders having a principal place of employment in the commonwealth for the diagnosis and treatment of the following biologically-based mental disorders, as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, referred to in this section as the DSM: (1) schizophrenia, (2) schizoaffective disorder, (3) major depressive disorder, (4) bipolar disorder, (5) paranoia and other psychotic disorders, (6) obsessive-compulsive disorder, (7) panic disorder, (8) delirium and dementia, (9) affective disorders; (10) eating disorders; (11) post traumatic stress disorders; (12) substance abuse disorders; (13) autism and (14) any biologically-based mental disorders appearing in the DSM and approved by the commissioner of the department of mental health in consultation with the commissioner of the division of insurance.

SECTION 3. Section 8A of Chapter 176A of the General Laws is hereby amended by striking out subsection (a) and inserting in place the following subsection:

40 (a) contract between a subscriber and the corporation under an individual or group hospital  
41 service plan which is issued or renewed within or without the commonwealth shall provide  
42 mental health benefits on a nondiscriminatory basis to residents of the commonwealth and to  
43 all individual subscribers and members and group members having a principal place of  
44 employment in the commonwealth for the diagnosis and treatment of the following  
45 biologically-based mental disorders, as described in the most recent edition of the Diagnostic  
46 and Statistical Manual of Mental Disorders published by the American Psychiatric  
47 Association, referred to in this section as the DSM: (1) schizophrenia; (2) schizoaffective  
48 disorder; (3) major depressive disorder; (4) bipolar disorder; (5) paranoia and other psychotic  
49 disorders; (6) obsessive-compulsive disorder; (7) panic disorder; (8) delirium and dementia;  
50 (9) affective disorders; (10) eating disorders; (11) post traumatic stress disorder; (12)  
51 substance abuse disorders; (13) autism; and (14) any biologically-based mental disorders  
52 appearing in the DSM and approved by the commissioner of the department of mental health  
53 in consultation with the commissioner of the division of insurance.

54

55 Section 4. 4A of chapter 176B of the General Laws, is hereby amended by striking out subsection

56 (a) and inserting in place the following subsection:

57

58 (a) A subscription certificate under an individual or group medical service agreement which is  
59 issued or renewed within or without the commonwealth shall provide mental health benefits  
60 on a nondiscriminatory basis to residents of the commonwealth and to all individual  
61 subscribers and members within the commonwealth and to all group members having a  
62 principal place of employment in the commonwealth for the diagnosis and treatment of the  
63 following biologically-based mental disorders, as described in the most recent edition of the  
64 Diagnostic and Statistical Manual of Mental Disorders published by the American

65 Psychiatric Association, referred to in this section as the DSM: (1) schizophrenia; (2)  
66 schizoaffective disorder; (3) major depressive disorder; (4) bipolar disorder; (5) paranoia and  
67 other psychotic disorders; (6) obsessive-compulsive disorder; (7) panic disorder; (8) delirium  
68 and dementia; (9) affective disorders; (10) eating disorders; (11) post traumatic stress  
69 disorder; (12) substance abuse disorders; (13) autism; and (14) any biologically-based mental  
70 disorders appearing in the DSM and approved by the commissioner of the department of  
71 mental health in consultation with the commissioner of the division of insurance.

72

73 SECTION 5. Section 4M of chapter 176G of the General Laws, is hereby amended by striking out  
74 subsection (a) and inserting in place the following subsection:

75

76 (a) A health maintenance contract issued or renewed within or without the commonwealth shall  
77 provide mental health benefits on a nondiscriminatory basis to residents of the  
78 commonwealth and to all members or enrollees having a principal place of employment in  
79 the commonwealth for the diagnosis and treatment of the following biologically-based  
80 mental disorders, as described in the most recent edition of the Diagnostic and Statistical  
81 Manual of Mental Disorders published by the American Psychiatric Association, referred to  
82 in this section as the DSM: (1) schizophrenia; (2) schizoaffective disorder; (3) major  
83 depressive disorder; (4) bipolar disorder; (5) paranoia and other psychotic disorders; (6)  
84 obsessive-compulsive disorder; (7) panic disorder; (8) delirium and dementia; (9) affective  
85 disorders; (10) eating disorders; (11) post traumatic stress disorder; (12) substance abuse  
86 disorders; (13) autism; and (14) any biologically-based mental disorders appearing in the  
87 DSM and approved by the commissioner of the department of mental health in consultation  
88 with the commissioner of the division of insurance.