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LINDA RUTHARDT
COMMISSIONER OF INSURANCE

Bulletin No. 01-03

To: Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts (BCBSMA), Health Maintenance Organizations

From: Linda Ruthardt, Commissioner of Insurance

Re: Costs Arising from Speech, Hearing and Language Disorders

Date: February 12, 2001

This Bulletin is to inform carriers of the enactment of St. 2000, c. 345 (Chapter 345), An Act Providing that Certain Health Care Plans and Policies Shall Cover Payment for Costs Arising from Speech, Hearing and Language Disorders, which creates the following Massachusetts health insurance statutes: M.G.L. c. 175 §47U, c. 176A §8U, c. 176B §4U, and c. 176G §4N. Chapter 345, which becomes effective on March 21, 2001, applies to policies delivered, issued or renewed, within or without Massachusetts, to Massachusetts residents and to group members having a principal place of employment within the Commonwealth, except policies providing supplemental coverage to Medicare or other governmental programs, or self-funded health plans administered under the Employee Retirement Income Security Act of 1974 (ERISA). Chapter 345 applies to individual and group commercial health insurance policies, group HMO contracts and individual and group BCBSMA certificates and contracts.

Chapter 345 mandates coverage for the expenses incurred in the medically necessary diagnosis and treatment of speech, hearing and language disorders provided by licensed speech-language pathologists or audiologists so long as the services are rendered within the lawful scope of practice of such licensed provider. Such coverage must be provided regardless of whether the services are provided in a hospital, clinic or private office. This mandated coverage does not extend to the diagnosis or treatment of speech, language and hearing disorders in a school-based setting. The benefits provided under this law are subject to the same terms and conditions established for any other medical condition covered by such policy, contract or certificate.

Please refer to the statutes, as amended, for a complete description of these new benefits. If you have any questions regarding this Bulletin, please call the Health Unit at the Division of Insurance at (617) 521-7349.