By Mr. \_\_\_\_\_\_, a petition (accompanied by bill, Senate, No. XXX) of \_\_\_\_\_\_\_, \_\_\_\_\_\_\_, \_\_\_\_\_\_\_, \_\_\_\_\_\_\_ and other members of the General Court for legislation relative to mental health parity. Financial Services

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court**

**(2019-2020)**

An Act relative to parity implementation.

*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. Section 22 of chapter 32A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (i) the following subsection:-

(j) Each health plan that is offered by the commission that provides substance abuse disorder benefits:

(i) Shall not impose any prior authorization requirements on any prescription medication approved by the federal Food and Drug Administration (FDA) for the treatment of substance abuse disorders;

(ii) Shall not impose any step therapy requirements before the health plan will authorize coverage for a prescription medication approved by the FDA for the treatment of substance abuse disorders;

(iii) Shall place all prescription medications approved by the FDA for the treatment of substance abuse disorders on the lowest tier of the drug formulary developed and maintained by the health plan; and

(iv) Shall not exclude coverage for any prescription medication approved by the FDA for the treatment of substance abuse disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

SECTION 2. Section 47B of chapter 175 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (j) the following subsection:-

(k) Each insurer that provides substance abuse disorder benefits:

(i) Shall not impose any prior authorization requirements on any prescription medication approved by the federal Food and Drug Administration (FDA) for the treatment of substance abuse disorders;

(ii) Shall not impose any step therapy requirements before the insurer will authorize coverage for a prescription medication approved by the FDA for the treatment of substance abuse disorders;

(iii) Shall place all prescription medications approved by the FDA for the treatment of substance abuse disorders on the lowest tier of the drug formulary developed and maintained by the insurer; and

(iv) Shall not exclude coverage for any prescription medication approved by the FDA for the treatment of substance abuse disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

SECTION 3. Section 8A of chapter 176A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (i) the following subsection:-

(j) Each non-profit hospital service corporation that provides substance abuse disorder benefits:

(i) Shall not impose any prior authorization requirements on any prescription medication approved by the federal Food and Drug Administration (FDA) for the treatment of substance abuse disorders;

(ii) Shall not impose any step therapy requirements before the non-profit hospital service corporation will authorize coverage for a prescription medication approved by the FDA for the treatment of substance abuse disorders;

(iii) Shall place all prescription medications approved by the FDA for the treatment of substance abuse disorders on the lowest tier of the drug formulary developed and maintained by the non-profit hospital service corporation; and

(iv) Shall not exclude coverage for any prescription medication approved by the FDA for the treatment of substance abuse disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

SECTION 4. Section 4A of chapter 176B of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (i) the following subsection:-

(j) Each non-profit medical service corporation that provides substance abuse disorder benefits:

(i) Shall not impose any prior authorization requirements on any prescription medication approved by the federal Food and Drug Administration (FDA) for the treatment of substance abuse disorders;

(ii) Shall not impose any step therapy requirements before the non-profit medical service corporation will authorize coverage for a prescription medication approved by the FDA for the treatment of substance abuse disorders;

(iii) Shall place all prescription medications approved by the FDA for the treatment of substance abuse disorders on the lowest tier of the drug formulary developed and maintained by the non-profit medical service corporation; and

(iv) Shall not exclude coverage for any prescription medication approved by the FDA for the treatment of substance abuse disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.

SECTION 5. Section 4M of chapter 176G of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after subsection (i) the following subsection:-

(j) Each health maintenance organization that provides substance abuse disorder benefits:

(i) Shall not impose any prior authorization requirements on any prescription medication approved by the federal Food and Drug Administration (FDA) for the treatment of substance abuse disorders;

(ii) Shall not impose any step therapy requirements before the health maintenance organization will authorize coverage for a prescription medication approved by the FDA for the treatment of substance abuse disorders;

(iii) Shall place all prescription medications approved by the FDA for the treatment of substance abuse disorders on the lowest tier of the drug formulary developed and maintained by the health maintenance organization; and

(iv) Shall not exclude coverage for any prescription medication approved by the FDA for the treatment of substance abuse disorders and any associated counseling or wraparound services on the grounds that such medications and services were court ordered.