

## **An Act relative to the practice of acupuncture**

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 231 the following section:

Section 232. There shall be a commission on acupuncture and wellness within the department. The commission shall consist of: the commissioner of public health or the commissioner's designee, who shall chair the commission; the commissioner of insurance or the commissioner's designee; the director of MassHealth or the director's designee; the director of the board of registration in medicine or the director's designee; the senate chair of the joint committee on public health; the house chair of the joint committee on public health; a member representing a statewide organization of licensed acupuncturists; a member representing a statewide organization of medical acupuncturists; a member representing the Massachusetts Public Health Association; and 5 members to be selected by the Governor including: no fewer than 2 acupuncturists, licensed and practicing in the state of Massachusetts; a member representing one of the top five health insurance companies in Massachusetts according to market share, a member representing a health care consumer organization, and a member currently practicing as a licensed physician in Massachusetts.

The commission on acupuncture and wellness shall make an investigation and comprehensive study of the potential for better integrated use of acupuncture services to expand access, reduce health care costs, and provide improved quality of care to Massachusetts residents. The commission shall:

- (1) Consider strategies to evaluate and implement effective integration of acupuncture services in health care delivery in Massachusetts with specific focus on interventions in pain management, substance abuse treatment, and wellness promotion.
- (2) Consider strategies to effectively integrate acupuncture treatment modalities into alternative payment models, including, but not limited to, accountable care organizations, workplace wellness programs, and provider organizations established under Chapter 224 of the Acts of 2012.
- (3) Consider strategies regarding reimbursement of licensed acupuncturists via third party payors or otherwise to facilitate a stable and sustainable integration of acupuncture services into the broader system of health care delivery.

The commission on acupuncture and wellness shall submit to the secretary of health and human services and the joint committee on public health, six months after the effective date of this act and annually thereafter, a report that includes findings from the commission's review along with recommendations and any suggested legislation to implement those recommendations.

SECTION 2. Chapter 175 of the General Laws is hereby amended by inserting after section 47DD the following section:

Section 47EE. (a) All individual or group accident and health insurance policies and health service contracts delivered, issued or renewed by an insurer or nonprofit health service corporation which provide benefits to individual subscribers and members within the commonwealth or to all group members having a principal place of employment within the commonwealth shall provide benefits for acupuncture and oriental medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and nausea.

SECTION 3. Said chapter 175 is hereby amended by inserting after the section 205 the following section:

Section 205A. (a) The commissioner shall not approve a policy under section 205 that does not provide benefits for acupuncture and oriental medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and nausea.

SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after section 8FF the following section:

Section 8GG. (a) Any contract between a subscriber and the corporation under an individual or group hospital service plan delivered, issued or renewed in the commonwealth shall provide as benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth acupuncture and oriental medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and nausea.

SECTION 5. Chapter 176B of the General Laws is hereby amended by inserting after section 4FF the following section:

Section 4GG. (a) Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed in the commonwealth shall provide benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for acupuncture and oriental medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and nausea.

SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after section 4X the following section:

Section 4Y. (a) Any group health maintenance contract shall provide coverage for acupuncture and oriental medicine based diagnosis and treatment in the areas of pain management, post-traumatic stress disorder, substance abuse treatment, and nausea.

SECTION 7. Notwithstanding any general or special law to the contrary, no third party payer of health care services shall differentiate reimbursement rates for acupuncture services by provider type. Only licensed acupuncturists or medical doctors shall be reimbursed for acupuncture services.