



# MASSACHUSETTS MEDICAL SOCIETY

*Every physician matters, each patient counts.*

June 12, 2023

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Dear FY'24 Budget Conferees:

On behalf of the over 25,000 physician, resident, and student members of the Massachusetts Medical Society (MMS), we wish to thank you for your efforts, as members of the FY'24 Conference Committee, to produce a final report that supports the health care needs of our residents, including increased resources to help ease the disruption of the MassHealth redetermination process, investments in behavioral health workforce development, and expansion of treatment options for people living with mental health and substance use disorders.

We are grateful to the House and Senate for the inclusion of **outside section language to require private health insurers to cover a variety of preventive services**, including but not limited to screenings, contraception, and vaccines, without cost sharing for enrollees. This language will codify into state law critical Affordable Care Act protections that were recently struck down by a federal judge in Texas, ensuring that over 3 million Massachusetts residents continue to have affordable access to high-quality preventive care that helps them stay healthy, detect illness early, and lead productive lives. Importantly, it does not add new mandated benefit requirements for state-regulated health insurance plans, as this requirement is a well-established federal law that health plans across the country have complied with for nearly a decade.

We believe the following provisions would build upon the legislature's commitment to health care and we wish to be recorded in support of:

## Outside Section 32 in H.3901 – Premium Assistance Pilot

This provision would provide insurance premium subsidies for a broader subset of individuals and families across Massachusetts and greatly improve the affordability of health insurance by allowing patients to access higher quality insurance products. This will reduce out-of-pocket costs and premium costs for a large segment of residents who otherwise often get steered into expensive, high-deductible health plans, which are associated with greater affordability challenges.

## Outside Section 32 in S.2400 – Physician Mental Health

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This provision is a technical correction to the Mental Health ABC Act that would exempt physicians in compliance with the requirements of a mental health, drug or alcohol program satisfactory to the Board of Registration in Medicine (BORIM) from additional reporting or disciplinary actions by the Board, consistent with the parameters of a newly created diversionary program for all other health care professionals in Chapter 177 of the Acts of 2022. Massachusetts law (C.112 S. 5F) exempts physicians from mandated reporting requirements, absent potential patient harm. A physician experiencing substance use issues may be referred to Physician Health Services (PHS) as opposed to BORIM, as long as they are in and remain in compliance with the PHS recommended program. PHS is a nonprofit founded to address issues of physician health, acting as a confidential resource for physicians and medical students who may benefit from help addressing stress, burnout, work-life balance issues, and a variety of physical and behavioral health concerns that arise in today's challenging health care environment. This is of great importance, considering the high levels of stress and burnout experienced by physicians today, as well-documented in the MMS' recent [well-being survey report](#).

Thank you for your consideration of these important initiatives. Please do not hesitate to reach out with any questions or if we can be of further assistance.

Sincerely,

Barbara S. Spivak, MD