

# HOUSE . . . . . No.

---

## The Commonwealth of Massachusetts

---

PRESENTED BY:

***Paul J. Donato***

---

*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 adoption of the accompanying bill:

An Act to promote transparent and equitable reimbursement for services provided by Advanced Practice Registered Nurses (APRNs).

---

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>12/8/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/11/2024</i>

# HOUSE . . . . . No.

---

By Representative Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato relative to health insurance reimbursements for services provided by advanced practice registered nurses. Financial Services.

---

## The Commonwealth of Massachusetts

\_\_\_\_\_  
In the One Hundred and Ninety-Third General Court  
(2023-2024)  
\_\_\_\_\_

An Act to promote transparent and equitable reimbursement for services provided by Advanced Practice Registered Nurses (APRNs).

*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. Chapter 32A of the General Laws is hereby amended by adding the  
2 following section:-

3           Section 33. (a) (1) Coverage offered by the commission to an active or retired employee  
4 of the commonwealth insured under the commission shall not make a distinction, for the  
5 purposes of participation, coverage, and payment, between physicians licensed pursuant to  
6 chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to  
7 section 80B of said chapter 112, if the physician or advanced practice registered nurse is acting  
8 within the scope of their practice pursuant to their licensure and certification. Nothing in this  
9 subsection shall prevent the commission from establishing varying reimbursement rates based  
10 on quality or performance measures as long as such measures are the same for physicians  
11 licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing  
12 roles pursuant to section 80B of said chapter 112.

(b) A claim submitted for payment must identify the National Provider Identifier (NPI) of the physician or advanced practice registered nurse who actually provided the service. (c) (1) The commission shall reimburse a contracted advanced practice registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less than the allowed amount that the commissioner would reimburse for the same service if provided by a contracted provider who is a physician licensed pursuant to said chapter 112.

(2) The commission may not reduce the reimbursement amount paid to physicians licensed under chapter 112 to comply with this subsection.

SECTION 2. Section 6 of chapter 118E of the General Laws is hereby amended by inserting after the words “board-certified physicians”, the following words:- , advanced practice registered nurses,.

SECTION 3. Chapter 118E of the General Laws is hereby amended by adding the following section:-

Section 83. (a) (1) The division and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid-managed care organization, accountable care organization, or primary care clinician plan shall not make a distinction, for the purposes of participation, coverage, and payment, between physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112, if the physician or advanced practice registered nurse is acting within the scope of their practice pursuant to their licensure and certification. Nothing in this subsection shall prevent the

commission from establishing varying reimbursement rates based on quality or performance measures as long as such measures are the same for physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112.

(b) A claim submitted for payment must identify the National Provider Identifier (NPI) of the physician or advanced practice registered nurse who actually provided the service.

(c) The division and its contracted entities shall: (i) reimburse a contracted advanced practice registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less than the allowed amount that it would reimburse for the same service if provided by a contracted provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce the reimbursement amount paid to physicians licensed under chapter 112 to comply with this subsection.

SECTION 4. Chapter 175 of the General Laws is hereby amended by inserting after section 108N the following section:-

Section 108O. (a) (1) An individual policy of accident and sickness insurance issued under section 108 that provides hospital expense and surgical expense insurance and any group blanket or general policy of accident and sickness insurance issued under section 110 that provides hospital expense and surgical expense insurance that is issued or renewed within or without the commonwealth shall not make a distinction, for the purposes of participation, coverage, and payment, between physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112, if the physician or advanced practice registered nurse is acting within the scope of their

57 practice pursuant to their licensure and certification. Nothing in this subsection shall prevent the  
58 commission from establishing varying reimbursement rates based on quality or performance  
59 measures as long as such measures are the same for physicians licensed pursuant to chapter 112  
60 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of  
61 said chapter 112.

62 (b) A claim submitted for payment must identify the National Provider Identifier (NPI) of  
63 the physician or advanced practice registered nurse who actually provided the service.

64 (c) An individual policy of accident and sickness insurance issued under section 108 that  
65 provides hospital expense and surgical expense insurance and any group blanket or general  
66 policy of accident and sickness insurance issued under section 110 that provides hospital expense  
67 and surgical expense insurance that is issued or renewed within or without the commonwealth  
68 shall: (i) reimburse a contracted advanced practice registered nurse who is authorized to practice  
69 in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less  
70 than the allowed amount that it would reimburse for the same service if provided by a contracted  
71 provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce the  
72 reimbursement amount paid to physicians licensed under chapter 112 to comply with this  
73 section.

74 SECTION 5. Chapter 176A of the General Laws is hereby amended by inserting after  
75 section 38 the following section:-

76 Section 39. Any contract between a subscriber and a corporation under an individual or  
77 group hospital service plan delivered, issued or renewed within the commonwealth shall not  
78 make a distinction, for the purposes of participation, coverage, and payment, between physicians

licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112, if the physician or advanced practice registered nurse is acting within the scope of their practice pursuant to their licensure and certification.

Nothing in this subsection shall prevent the commission from establishing varying reimbursement rates based on quality or performance measures as long as such measures are the same for physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112.

(b) A claim submitted for payment must identify the National Provider Identifier (NPI) of the physician or advanced practice registered nurse who actually provided the service.

(c) Any contract between a subscriber and a corporation under an individual or group hospital service plan delivered, issued or renewed within the commonwealth shall: (i) reimburse a contracted advanced practice registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less than the allowed amount that it would reimburse for the same service if provided by a contracted provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce the reimbursement amount paid to physicians licensed under chapter 112 to comply with this section.

SECTION 6. Section 1 of chapter 176B of the General Laws is hereby amended by inserting the following definition:-

“Advanced Practice Registered Nurse”, A registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112. Clinical categories of advanced practice registered nurses include Massachusetts Board of Registration in Nursing recognized clinical categories and abbreviations, including: (1) Certified Registered

101 Nurse Anesthetist (CRNA); (2) Certified Nurse Midwife (CNM); Certified Nurse Practitioner  
102 (CNP); Clinical Nurse Specialist (CNS); and Psychiatric Nurse Mental Health Clinical Specialist  
103 (PNMHCS).

104 SECTION 7. Section 1 of said chapter 176B is further amended by repealing the  
105 following definition:-

106 "Certified Nurse Midwife", a nurse midwife authorized to practice midwifery in the  
107 commonwealth by the board of registration in nursing pursuant to section eighty B of chapter  
108 one hundred and twelve.

109 SECTION 8. Section 1 of said chapter 176B is further amended by amending the  
110 definition of "Medical service" as follows:-

111 "Medical service", the medical and health care services provided by registered physicians  
112 and advanced practice registered nurses in accordance with their scope of practice pursuant to  
113 their licensure and certification.

114 SECTION 9. Section 1 of said chapter 176B is further amended by inserting, after the  
115 definition of "Nonprofit medical service plan", the following definition:-

116 "Participating Advanced Practice Registered Nurse", a registered nurse who is authorized  
117 to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112, and  
118 who agrees in writing with a medical service corporation to perform medical services for  
119 subscribers and covered dependents and to abide by the by-laws, rules and regulations of such  
120 corporation.

121           SECTION 10. Section 1 of said chapter 176B is further amended by repealing the  
122 following definition:-

123           "Participating nurse midwife", a certified nurse midwife who agrees in writing with a  
124 medical service corporation to perform midwifery service for subscribers and covered  
125 dependents and to abide by the by-laws, rules and regulations of such corporation.

126           SECTION 11. Chapter 176B of the General Laws is hereby amended by repealing the  
127 following section:-Section 4G: Certified nurse midwife services benefits.

128           SECTION 12. Said chapter 176B is further amended by repealing the following section:-

129           Section 4T: Subscription certificate benefits for services rendered by a nurse anesthetist  
130 or nurse practitioner.

131           SECTION 13. Said chapter 176B is further amended by adding the following section:-

132           Section 26. A contract between a subscriber and a medical service corporation shall not  
133 make a distinction, for the purposes of participation, coverage, and payment, between physicians  
134 licensed pursuant to chapter 112 and advanced practice registered nurses authorized to practice  
135 in advanced practice nursing roles pursuant to section 80B of said chapter 112, if the physician  
136 or advanced practice registered nurse is acting within the scope of their practice pursuant to their  
137 licensure and certification. Nothing in this subsection shall prevent the commission from  
138 establishing varying reimbursement rates based on quality or performance measures as long as  
139 such measures are the same for physicians licensed pursuant to chapter 112 and nurses  
140 authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter  
141 112.



(b) A claim submitted for payment must identify the National Provider Identifier (NPI) of the physician or advanced practice registered nurse who actually provided the service.

(c) A contract between a subscriber and a medical service corporation shall: (i) reimburse a contracted advanced practice registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less than the allowed amount that it would reimburse for the same service if provided by a contracted provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce the reimbursement amount paid to physicians licensed under chapter 112 to comply with this section.

SECTION 14. Section 1 of chapter 176G of the General Laws is hereby amended by inserting the following definition:-

“Advanced Practice Registered Nurse”, A registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112. Clinical categories of advanced practice registered nurses include Massachusetts Board of Registration in Nursing recognized clinical categories and abbreviations, including: (1) Certified Registered Nurse Anesthetist (CRNA); (2) Certified Nurse Midwife (CNM); Certified Nurse Practitioner (CNP); Clinical Nurse Specialist (CNS); and Psychiatric Nurse Mental Health Clinical Specialist (PNMHCS).

SECTION 15. Section 1 of said chapter 176G is further amended by inserting after the word “physician”, in the definition of “Health services”, the following words:- or advanced practice registered nurse.

SECTION 16. Section 1 of said chapter 176G is further amended by inserting after the word “physician,” in the definition of “Nondiscriminatory”, the following words:- advanced practice registered nurse.

SECTION 17. Chapter 176G of the General Laws is hereby amended by adding the following section:-

Section 34. A contract between a member and a health maintenance organization shall not make a distinction, for the purposes of participation, coverage, and payment, between physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112, if the physician or advanced practice registered nurse is acting within the scope of their practice pursuant to their licensure and certification. Nothing in this subsection shall prevent the commission from establishing varying reimbursement rates based on quality or performance measures as long as such measures are the same for physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced practice nursing roles pursuant to section 80B of said chapter 112.

(b) A claim submitted for payment must identify the National Provider Identifier (NPI) of the physician or advanced practice registered nurse who actually provided the service.

(c) A contract between a member and a health maintenance organization shall: (i) reimburse a contracted advanced practice registered nurse who is authorized to practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount not less than the allowed amount that it would reimburse for the same service if provided by a contracted provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce the

183 reimbursement amount paid to physicians licensed under chapter 112 to comply with this  
184 section.

185 SECTION 18. Chapter 176G of the General Laws is further amended by adding the  
186 following section:-

187 Section 35. When a law or rule requires authorization or involvement of a physician as a  
188 condition of reimbursement or coverage of health services, that requirement may be fulfilled by  
189 an advanced practice registered nurse practicing under section 80B of chapter 112.

190 SECTION 19. Chapter 176I of the General Laws is hereby amended by adding the  
191 following section:-

192 Section 14. A preferred provider contract between a covered person and an organization  
193 shall not make a distinction, for the purposes of participation, coverage, and payment, between  
194 physicians licensed pursuant to chapter 112 and nurses authorized to practice in advanced  
195 practice nursing roles pursuant to section 80B of said chapter 112, if the physician or advanced  
196 practice registered nurse is acting within the scope of their practice pursuant to their licensure  
197 and certification. Nothing in this subsection shall prevent the commission from establishing  
198 varying reimbursement rates based on quality or performance measures as long as such measures  
199 are the same for physicians licensed pursuant to chapter 112 and nurses authorized to practice in  
200 advanced practice nursing roles pursuant to section 80B of said chapter 112.

201 (b) A claim submitted for payment must identify the National Provider Identifier (NPI) of  
202 the physician or advanced practice registered nurse who actually provided the service.

203           (c) A preferred provider arrangement between a covered person and an organization  
204 shall: (i) reimburse a preferred provider advanced practice registered nurse who is authorized to  
205 practice in advanced practice nursing roles pursuant to section 80B of chapter 112 in an amount  
206 not less than the allowed amount that it would reimburse for the same service if provided by a  
207 preferred provider who is a physician licensed pursuant to said chapter 112; and (ii) not reduce  
208 the reimbursement amount paid to physicians licensed under chapter 112 to comply with this  
209 section.