



The Commonwealth of Massachusetts
HEALTH POLICY COMMISSION
50 MILK STREET, 8TH FLOOR
BOSTON, MASSACHUSETTS 02109

STUART H. ALTMAN
CHAIR

OFFICE OF PATIENT PROTECTION
(800) 436-7757 (PHONE)
(617) 624-5046 (FAX)

DAVID M. SELTZ
EXECUTIVE DIRECTOR

HEALTH POLICY COMMISSION BULLETIN HPC-OPP-2018-01

To: Commercial Health Insurers, Blue Cross Blue Shield of Massachusetts, and Health Maintenance Organizations Accredited Pursuant to M.G.L. c. 176O; and Other Interested Parties
CC: Massachusetts Division of Insurance
From: Steven Belec, Director, Office of Patient Protection
Date: March 28, 2018
Re: Carrier Responsibilities to Disclose Medical Necessity Criteria and Updates to the Office of Patient Protection

This Bulletin updates the Office of Patient Protection's ("OPP") guidance regarding the responsibility of carriers to provide all proprietary and non-proprietary medical necessity criteria and protocols in use to OPP and sets forth OPP's expectations for carrier compliance with these requirements in order to provide greater public access to this information.

On April 27, 2015, OPP released a "[Memorandum to Insurance Carriers](#)" ("Memorandum") requesting that Commercial Health Insurers, Blue Cross Blue Shield of Massachusetts, and Health Maintenance Organizations accredited pursuant to M.G.L. c. 176O submit all proprietary and non-proprietary medical necessity criteria and protocols in use to OPP pursuant to M.G.L. c. 6D, §16.

OPP requests that insurance carriers submit any new or updated criteria as described in the April 2015 Memorandum and directs carriers to provide all criteria in the same form and manner subject to the process outlined in the Memorandum. Carriers shall submit all proprietary and non-proprietary criteria and protocols currently in use to OPP on or before June 1, 2018. Carriers shall provide prompt updates to OPP by submitting any new or revised criteria in electronic or hard copy no later than 30 days from its date of implementation. Notwithstanding this requirement, OPP may request any specified criterion or all criteria at any time. As noted in prior guidance, proprietary criteria submitted to OPP shall be exempt from disclosure under the Massachusetts Public Records Law.

Please direct any questions about this bulletin to Steven Belec, Director of the Office of Patient Protection, at Steven.Belec@state.ma.us or 617-979-1413.