



MASSACHUSETTS MEDICAL SOCIETY

Every physician matters, each patient counts.

**TESTIMONY IN SUPPORT OF S.591
AN ACT RELATIVE TO COMMUNICATIONS BETWEEN
HEALTH INSURERS AND PATIENTS
BEFORE THE JOINT COMMITTEE ON FINANCIAL SERVICES
June 26, 2023**

The Massachusetts Medical Society (MMS) is a professional association of over 25,000 physicians, residents, and medical students across all clinical disciplines, organizations, and practice settings. The Medical Society is committed to advocating on behalf of patients, to give them a better health care system, and on behalf of physicians, to help them provide the best care possible. To that end, the MMS wishes to be recorded in support of S.591, *An Act Relative to Communications Between Health Insurers and Patients*. The Society is grateful to Senator Michael Brady for sponsoring this legislation.

S.591 would create a new patient protection by prohibiting those with a potential incentive to discourage patients from seeking ongoing treatment from contacting patients without the knowledge or presence of a treating physician. The legislation applies to insurers, Accountable Care Organizations (ACO's) and other entities with financial responsibility for patient's care. The intent is to make certain that if patients are contacted on their end of life choices, for example, by insurers and others with similar incentives, that treating physicians are aware of this contact prior to its taking place. This will give physicians and opportunity to respond in an informed manner to their patient's questions regarding such communications.

The language does not apply to incentives from health care entities or parties other than those enumerated who engage patients in discussions regarding end of life care, including health care proxies, the MOLST initiative, religious counseling or other discussions outside the context of coverage for services.

The MMS encourages the Financial Services Committee to support S.591 and to report the bill out of committee favorably.