

MA Legislature Overrides Gov. Lyme Bill Veto

Patient Victory in MA! Three minutes before midnight on July 31 in a 37-1 vote, the MA Senate voted to override the Governor's veto of the Lyme bill which contained the language supported by patients for mandatory insurance coverage for long-term treatment. This vote followed closely the override vote in the House on July 30 with a vote of 153-3. The LDA congratulates MA on its great victory and thanks all involved, especially the MA Legislative Task Force who led the override effort, and all those who called or wrote to demand relief for patients. Thank you, MA legislature, for listening. [Click here for MA Legislative Task Force Press Release](#)

HISTORY—Governor Vetoes Patient Lyme Language—Governor Baker has vetoed the H4491. He has also filed an alternate bill which is unacceptable. The legislature is preparing to override his veto, but MA residents ONLY must continue to urge them to do so in the largest numbers possible. The message is simple and direct: please OVERRIDE Governor Baker's veto of H4491, the Lyme treatment coverage bill.

The House and Senate will be in formal session on Saturday and Sunday, which is when the override vote can occur. We need to contact them now. Massachusetts residents only – and each person should contact only her/his own state representative and state legislator.

(This action is supported by the Lyme Disease Association, Inc. which had already testified originally on bill and also written the Governor)

[Click here for history of bill actions](#)

Message above from the Lyme Legislative Task Force

Helen Brown – Whitman

Donna Castle – Ayer

Janice Dey – Westport

Susan Fairbank-Pitzer – Danvers

Sharon Hawkes, MLIS – Nahant

Jayne Kulesz – Groton

Robin LeMieux – Lowell

Sheila Statlender, Ph.D. – Framingham

ALERT! Mass Residents: Immediate Action Needed

After having followed and thoroughly reviewed several language changes in the Mass effort to pass a Lyme insurance bill, the LDA is backing the Lyme amendment attached to the Mass budget. At this time, the Governor's signature is required to pass it into law. There has been opposition to this legislation by the Mass Medical Society– legislation which would require insurers to cover long-term antibiotic therapy for a patient with Lyme disease. Let's ensure the Governor knows you Massachusetts residents are aware of the hardships faced by patients in Mass who develop Lyme and that you want him to sign this legislation into law. See the message from Mass Legislative Task Force below for actions to take.



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FOR DISTRIBUTION TO MASSACHUSETTS RESIDENTS:

Dear Friends,

It's time to contact the Governor's office and encourage him to sign this legislation into law!

At this point, it's sheer numbers that matter, not lengthy explanations, and every one of you can help. If you or your family member was hurt by inadequate antibiotic

treatment and/or by a lack of insurance coverage, you may want to include a brief statement about that. Please don't dwell on the high cost of treatment. Instead, emphasize how important it is to keep people healthy and functioning, as well as free from painful suffering.

Call and/or email today! Ask your family, friends and neighbors in Massachusetts to do the same. The Massachusetts State House will reopen Tuesday morning, and Governor Baker could decide to sign or veto the Lyme amendment at any point. We need to impress him with overwhelming support from his constituents!

Three different ways you can take action, pick one and DO IT NOW:

1. Call the Governor's office 617-725-4005
Tell him that you want him to sign the budget with the Lyme amendment intact
 2. Use the form on the Governor Baker's website to email this message to him <http://www.mass.gov/governor/constituent-services/contact-governor-office/> (be sure to scroll down to the bottom to find the form):
 3. Fax your message: 617-727-9725
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Background information

We want to provide you with some additional information which we hope will increase your comfort level and encourage you to do this right away:

1. Over this past weekend, we've been actively conferring with the ILADS board. After reviewing the legislation and connecting them with the attorney who shepherded the Rhode Island bill into law (and who now lives in Massachusetts), ILADS has agreed to write a letter, urging Baker to support the Lyme amendment. This will be delivered to the governor's office by Tuesday morning.

It is especially important to have ILADS as a medical society endorse the amendment, given the opposition expressed by the Massachusetts Medical Society. [/news/1505-ma-](#)

[lyme-leg-task-force-reply-to-mms-bill-opposition](#)

2. Similarly, after conferring with the attorney and studying the language, the Lyme Disease Association (LDA) is on board, and will fax its letter of support to Governor Baker no later than Tuesday morning. As a major patient advocacy group, the endorsement of the LDA is significant.

[Click here to Read LDA letter sent to Governor](#)

3. We also will be providing a letter from the attorney referenced above, describing Rhode Island's comparable legislation and its striking success over the past decade. There has been no negative impact in the Rhode Island economy in the decade since its passage, and not a single health insurer opposed it at the end of its sunset period.

4. We plan to hand-deliver a packet of information to Governor Baker's office (in a "Lyme" green folder, of course), Bright and early on Tuesday morning. We had promised his legislative aide that we would provide this material as a follow up to our meeting there last Thursday.

5. Please note that the State House reporter was incorrect when he wrote that the Conference Committee dropped the prohibition against characterizing antibiotic treatment as experimental. That's not what they did, and that hasn't been our concern. In fact, they broadened the language to say that even experimental medications can be used off-label as antibiotics, as long as they are FDA approved. We were told that this was done in order to make the current language comparable to the language used for cancer treatment. This could cause confusion, which is why we preferred the simpler, straightforward language in the original bills and in the House amendment.

4. Other questions have pertained to the repetition of the same language in several sections, and to a few restrictions which pertain to a small number of health plans with unusual coverage, like rebates. Representative Linsky's office asked us to hold off on endorsing the amendment until they could check into the reasons for that language, and to examine it for potential loopholes. They've since given us a green light.

5. We've been gladly addressing questions and concerns from various other stakeholders all weekend. That way, we will be less vulnerable to having our actions

second-guessed later. This did happen after the physician protection bill was passed in 2010, when one disgruntled advocate called for its repeal.

Now we're ready to hit the ground running as this holiday weekend comes to a close. Let's act as a truly united front! Thanks for your patience, your thoughtful consideration and above all your support. Don't forget: we need tons of phone calls and emails to Governor Baker right away!

Happy 4th.

The Massachusetts Lyme Legislative Task Force

Helen Brown – Whitman

Donna Castle – Ayer

Janice Dey – Westport

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Massachusetts Lyme Insurance Bill

Pat Smith, LDA President, provided testimony to Massachusetts Joint Committee on Financial Services regarding the need for passage of bills H. 901 and S. 502, "**An Act Relative to Lyme Disease Treatment Coverage.**" These bills would provide insurance coverage for Lyme treatment which could lessen the suffering of patients and help prevent the development of chronic Lyme.

[Click here for LDA testimony to Massachusetts Joint Committee on Financial Services](#)

Hearing on Massachusetts Lyme Bill

[Lyme Disease Patients Push For Health Coverage](#) – 22 News WWLP.com

[Speliotis Files Bill to Require Health Insurers Expand Coverage for Lyme Disease](#) – DaversPatch

[Press Release](#) – MA Lyme Legislative Task Force

[Written Testimony](#) – Pat Smith, LDA President



MA Rep. Theodore Speliotis, Bill H.989 SponsThe Massachusetts Joint Committee on Financial Services has announced a hearing on H.989, An Act Relative to Lyme Disease Treatment Coverage, on Wednesday, November 13, 1:00-4:00 at the State House in Boston, Room A2. This bill will require that insurance companies cover open-ended antibiotic treatment for Lyme disease when prescribed by a physician.

Advocates ask that you attend the hearing, send written testimony, speak at the hearing, if you are able. Tell them: Where in Massachusetts you are from.

Your personal story, briefly, on how Lyme has effected you or your loved ones.

The cost of Lyme (personally and economically) to you and your family.

This part is important, as this hearing is before the Financial Services Committee. If you were denied your physician-prescribed treatment by your insurance company, please tell the Committee so!

If your senator or representative is also a member of the Financial Services Committee, please speak with that person before the hearing. Our elected state officials need to know that Lyme disease is serious and costly, long term treatment can be essential, and many patients are being denied this treatment by their insurance companies.

Even if you do not plan on speaking or submitting written testimony, please come! Just your presence there sends a message that this bill is important. Let's pack the hearing room!

If you are planning on speaking, you will be limited to 3 minutes. Since we don't want to put the chairman in the awkward position of having to cut you off, please prepare your remarks in advance (3 minutes is about a single spaced page). Practice reading or reciting what you will say, and time yourself.

To send your written testimony, please email it to lymebill@gmail.com or fax it to Trish McCleary at 774-241-0071.

An Act Relative to Tick-Borne Illnesses

[MA Bill HB 4480](#): Would establish a special commission for the purpose of investigating and studying the incidence and impacts of Lyme disease and its

associated co-infections in the commonwealth

Status: New draft of HB 1148 and HB 3592 (02/08/2010);
referred to the Joint Committee on Health Care Financing (02/08/2010).

2/8/2010 House Reported from the committee on Public Health

2/8/2010 House New draft of H1148 and H3592

2/8/2010 House Reported favorably by committee and referred to the committee on
Health Care Financing

5/20/2010 House Committee recommended ought to pass with an amendment, substituting
therefore a bill, see H4683

5/20/2010 House Bill referred to the committee on House Steering, Policy and
Scheduling

6/28/2010 House Discharged from committee

6/28/2010 House Referred to the committee on HOUSE RULES with the amendment
previously recommended pending

MA 2009 H3592 An Act Relative to Tick Borne Illnesses

Formed ???

For an investigation by a special commission (including members of the General
Court) of Lyme disease and other tick borne illnesses

MA Gov Signs Lyme Doctor Protection Bill

Lyme Advocates Instrumental in Passage

Massachusetts Governor Deval Patrick signed into law the FY11 Budget which contained language on doctor protection for Lyme disease treating physicians. The law permits doctors to clinically diagnose and treat patients long term. The state medical board cannot bring charges against a doctor solely for prescribing long-term antibiotic treatment for Lyme disease. Massachusetts advocates worked hard to raise awareness among public officials and the general public. Their stories were a

tremendous help in moving this bill to passage.

[Click here for bill](#)

This photo was taken at the Boston State House on June 30, 2010, shortly after Governor Duval Patrick signed the 2011 MA state budget.

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From left to right: Back row: Susan Fairbank-Pitzer, Donna Castle (advocates), Rep. Robert Hargraves (Groton). Front row: Robin LeMieux (advocate), Dr. Jacqueline Luz-Ruiz, Governor Duval Patrick, Dr. Sheila Statlender, Jayme Kulesz (advocate)

Bill Number: HB 1148 (Hargraves)

To allow physicians to prescribe, administer or dispense long-term antibiotics for therapeutic purposes to patients clinically diagnosed with Lyme disease.

Introduced (05/20/2009);

Referred to the HOUSE RULES (06/03/2009);

Reported, referred to the JOINT RULES, reported, rules and suspended and referred to the JOINT COMMITTEE ON PUBLIC HEALTH (06/22/2009);

Senate Concurred (06/24/2009);

Reported favorably by the Joint Committee on Public Health (02/09/2010)

Bill was amended (not wanted by advocates) but original version was then appended to budget and passed by both houses. Governor signed into law on June 30, 2010.