



July 10, 2025

Senator Michael Moore, Chair
Joint Committee on AITIC
State House, Room 109-B
Boston, MA 02133

Representative Tricia Farley-Bouvier, Chair
Joint Committee on Financial Services
State House, Room 109-B
Boston, MA 02133

RE: 7/10 Joint Committee on Advanced Information Technology, the Internet and Cybersecurity
MAHP Oppose: House No. 85

Dear Chairs Farley-Bouvier and Moore,

On behalf of the Massachusetts Association of Health Plans (MAHP), representing 13 member health plans and one behavioral health organization providing health coverage to nearly 3 million residents across the Commonwealth, we respectfully submit our opposition to House Bill 85, which would exempt certain high-cost health care services and technologies from the Commonwealth's Determination of Need (DoN) review process.

The DoN process is one of the few tools the state has to promote cost-effective, equitable, and coordinated care. By requiring oversight before hospitals and provider organizations can add expensive technologies or facilities, DoN ensures that new services align with community need, promote delivery system transformation, and do not unnecessarily increase health care costs. This past legislative session, the Legislature opted to strengthen the DoN process, rather than dilute it. House Bill 85 takes the opposite approach and would instead undercut this vital oversight by exempting widely used diagnostic technologies, like CT scanners, from DoN review.

The Health Policy Commission (HPC) has repeatedly documented the impact of high-cost imaging and outpatient services on commercial spending growth in Massachusetts. For example, the average price for a CT scan of the chest with contrast in Massachusetts is over 25% higher than the U.S. average, and more than twice as expensive when performed in a hospital outpatient department compared to a non-facility setting. These site-of-service price variations and excessive charges have contributed significantly to the \$3 billion in excessive commercial spending identified by the HPC in 2021 alone.

Exempting diagnostic imaging and other high-cost services from the DoN process will only exacerbate existing price variation, drive up premiums for employers and families, and deepen disparities in access to affordable care. Without a robust and comprehensive DoN review, Massachusetts risks losing one of its most important cost containment tools at a time when affordability is a top concern for residents and businesses alike.

For these reasons, **we oppose House Bill 85** and instead support efforts to preserve the integrity of the Determination of Need program as a vital safeguard for affordability, access, and equity.

Thank you for the opportunity to share our concerns. Please do not hesitate to contact me for additional information or to discuss this bill further.

Sincerely,

A handwritten signature in black ink, appearing to read "Lora M. Pellegrini", with a long horizontal flourish extending to the right.

Lora M. Pellegrini, President and CEO
Massachusetts Association of Health Plans