

HB 796 -- Mental Health Insurance Coverage

Sponsor: Lampe

This bill requires all health carriers offering health benefit plans which are delivered, issued, continued, or renewed on or after August 28, 2009, to provide coverage for mental health conditions if allowed under federal mental health parity laws as follows:

(1) A health carrier can limit the number of inpatient or residential treatments for alcoholism to 30 days or a health carrier can limit substance abuse coverage for outpatient treatment programs to 26 days, residential treatment programs to 21 days, and detox programs to six days. Coverage for substance use disorders may be subject to a lifetime maximum of 10 episodes of treatment; and

(2) Carriers cannot deny or refuse to issue insurance coverage on, refuse to contract with, or refuse to renew or reissue, terminate, or restrict coverage on an individual or his or her dependent solely because of being diagnosed with autism spectrum disorder (ASD). The coverage provided by an insurance carrier for ASD is limited to treatment ordered by the insured individual's licensed treating physician or psychologist in accordance with a treatment plan. Except for inpatient services, the health benefit plan or carrier can request a review of the treatment not more than once every six months at their expense unless the individual's treating physician or psychologist agrees that a more frequent review is necessary. Applied behavior analysis treatments for individuals younger than 21 years of age must be covered by the health plan and will have a maximum benefit of \$72,000 per year with no limit on the number of times an individual visits an autism service provider. After December 31, 2010, the Director of the Department of Insurance, Financial Institutions and Professional Registration must annually adjust the maximum benefit based upon the percentage of increase in the federal Consumer Price Index.

Any health carrier violating the provisions of the bill will be subject to a fine enforceable by the department.

The bill repeals certain provisions of law to consolidate, streamline, and update the laws regarding mental health insurance coverage due to the new federal parity requirements.