

House Amendment 8423

PAG LIN

1 1 Amend House File 2558 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 NEW SECTION. 514C.21 MANDATED
1 5 COVERAGE FOR MENTAL HEALTH CONDITIONS.
1 6 1. For purposes of this section, unless the
1 7 context otherwise requires:
1 8 a. "Mental health condition" means a condition or
1 9 disorder involving mental illness or alcohol or
1 10 substance abuse that falls under any of the diagnostic
1 11 categories listed in the mental disorders section of
1 12 the international classification of disease, as
1 13 periodically revised.
1 14 b. "Rates, terms, and conditions" means any
1 15 lifetime payment limits, deductibles, copayments,
1 16 coinsurance, and any other cost-sharing requirements,
1 17 out-of-pocket limits, visit limitations, and any other
1 18 financial component of benefits coverage that affects
1 19 the covered individual.
1 20 2. a. Notwithstanding section 514C.6, a policy or
1 21 contract providing for third-party payment or
1 22 prepayment of health or medical expenses shall provide
1 23 coverage benefits for mental health conditions based
1 24 on rates, terms, and conditions which are no more
1 25 restrictive than the rates, terms, and conditions for
1 26 coverage benefits provided for other health or medical
1 27 conditions under the policy or contract.
1 28 Additionally, any rates, terms, and conditions
1 29 involving deductibles, copayments, coinsurance, and
1 30 any other cost-sharing requirements shall be
1 31 cumulative for coverage of both mental health
1 32 conditions and other health or medical conditions
1 33 under the policy or contract.
1 34 b. Coverage required under this subsection shall
1 35 be as follows:
1 36 (1) For the treatment of mental illness, coverage
1 37 shall be for services provided by a licensed mental
1 38 health professional, or services provided in a
1 39 licensed hospital or health facility.
1 40 (2) For the treatment of alcohol or substance
1 41 abuse, coverage shall be for services provided by a
1 42 substance abuse counselor, as approved by the
1 43 department of human services, a licensed health
1 44 facility providing a program for the treatment of
1 45 alcohol or substance abuse approved by the department
1 46 of human services, or a substance abuse treatment and
1 47 rehabilitation facility, as licensed by the department
1 48 of public health pursuant to chapter 125.
1 49 3. This section applies to the following classes
1 50 of third-party payment provider contracts or policies
2 1 delivered, issued for delivery, continued, or renewed
2 2 in this state on or after January 1, 2005:
2 3 a. Individual or group accident and sickness
2 4 insurance providing coverage on an expense-incurred
2 5 basis.
2 6 b. An individual or group hospital or medical
2 7 service contract issued pursuant to chapter 509, 514,
2 8 or 514A.
2 9 c. A plan established pursuant to chapter 509A for
2 10 public employees.
2 11 d. An individual or group health maintenance
2 12 organization contract regulated under chapter 514B.
2 13 e. An individual or group Medicare supplemental
2 14 policy, unless coverage pursuant to such policy is
2 15 preempted by federal law.
2 16 f. Any other entity engaged in the business of
2 17 insurance, risk transfer, or risk retention, which is
2 18 subject to the jurisdiction of the commissioner.
2 19 g. An organized delivery system licensed by the
2 20 director of public health.
2 21 4. The commissioner shall adopt rules to
2 22 administer this section after consultation with the
2 23 mental health insurance advisory committee.
2 24 a. The commissioner shall appoint members to a

2 25 mental health insurance advisory committee. Members
2 26 shall include all sectors of society impacted by
2 27 issues associated with coverage of mental health
2 28 treatment by third-party payors including, but not
2 29 limited to, representatives of the insurance industry,
2 30 small and large employers, employee representatives
2 31 including labor, individual consumers, health care
2 32 providers, and other groups and individuals that may
2 33 be identified by the insurance division of the
2 34 department of commerce.

2 35 b. The committee shall meet upon the request of
2 36 the commissioner to review rules proposed under this
2 37 section by the commissioner, and to make suggestions
2 38 as appropriate.>

2 39 #2. Title page, line 1, by striking the words
2 40 and inserting the following:

2 41 .
2 42 #3. Title page, lines 2 and 3, by striking the
2 43 words 2 44 penalties applicable>.

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2 47 _____
2 48 SMITH of Marshall

2 49 HF 2558.303 80

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