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Chapter No. 308

14/SS26/R642PS

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SENATE BILL NO. 2331

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2331

AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO CLARIFY WHEN HEALTH INSURANCE POLICIES MUST INCLUDE COVERAGE FOR MENTAL ILLNESS; TO AMEND SECTION 83-9-41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PROVISION OF OUTPATIENT MENTAL ILLNESS COVERAGE ON PARITY WITH INPATIENT AND PARTIAL HOSPITALIZATION MENTAL ILLNESS COVERAGE; TO REPEAL SECTION 83-9-40, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE FORMULA FOR DETERMINING WHICH HEALTH INSURANCE POLICIES ARE REQUIRED TO PROVIDE COVERED BENEFITS FOR THE TREATMENT OF MENTAL ILLNESS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-9-39, Mississippi Code of 1972, is amended as follows:

83-9-39. (1) (a) Except as otherwise provided herein, all alternative delivery systems and all group health insurance policies, plans or programs regulated by the State of Mississippi shall provide covered benefits for the treatment of mental illness, except for policies which only provide coverage for specified diseases and other limited benefit health insurance policies and negotiated labor contracts. * * *

(b) Health insurance policies, plans or programs of any employer of one hundred (100) or fewer eligible employees and all

individual health insurance policies which are regulated by the State of Mississippi which do not currently offer benefits for treatment of mental illness shall offer covered benefits for the treatment of mental illness, except for policies which only provide coverage for specified diseases and other limited benefit health insurance policies and negotiated labor contracts. * * *

(2) Covered benefits for inpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to inpatient services certified as necessary by a health service provider.

(3) Covered benefits for outpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to outpatient services certified as necessary by a health service provider.

(4) Before an insured party may qualify to receive benefits under Sections 83-9-37 through 83-9-43, a health service provider shall certify that the individual is suffering from mental illness and refer the individual for the appropriate treatment.

(5) All mental illness, treatment or services with respect to such treatment eligible for health insurance coverage shall be subject to professional utilization and peer review procedures.

(6) The provisions of this section shall apply only to alternative delivery systems and individual and group health insurance policies, plans or programs issued or renewed after July 1, 1991.

(7) The exclusion period for coverage of a preexisting mental condition shall be the same period of time as that for other medical illnesses covered under the same plan, program or contract.

SECTION 2. Section 83-9-41, Mississippi Code of 1972, is amended as follows:

83-9-41. (1) Covered benefits for services in this section shall be limited to coverage of treatment of clinically significant mental illness.

(2) Treatment under this section shall be covered for a minimum of thirty (30) days per year for inpatient services, a minimum of sixty (60) days per year for partial hospitalization, and a minimum of fifty-two (52) outpatient visits per year.

(3) The rate of payment for inpatient services, outpatient services, and partial hospitalization shall be the same as provided for any other condition. * * *

SECTION 3. Section 83-9-40, Mississippi Code of 1972, which provides the formula for determining which health insurance policies are required to provide covered benefits for the treatment of mental illness, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after July 1, 2014, and shall apply only to alternative delivery systems and individual and group health insurance

policies, plans or programs issued or renewed on or after July 1,
2014.

PASSED BY THE SENATE

February 5, 2014



PRESIDENT OF THE SENATE

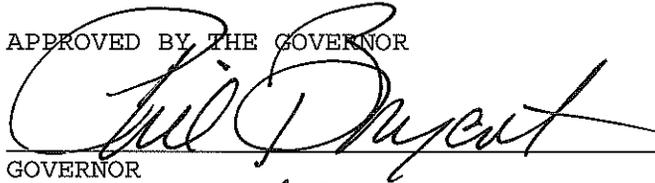
PASSED BY THE HOUSE OF REPRESENTATIVES

February 25, 2014



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

March 6th 2014 2:14