

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

1

L.D. 1718

2

(Filing No. H- 350)

3

STATE OF MAINE
HOUSE OF REPRESENTATIVES
11TH LEGISLATURE
FIRST REGULAR SESSION

4

5

6

7

8

9

HOUSE AMENDMENT "B" to S.P. 596, L.D. 1718,
Bill, "AN ACT to Provide Equitable Mental Health
Insurance."

10

11

12

13

Amend the bill in section 4 in that part design-
nated "§2325-A." in subsection 4 in the 2nd line
(page 4, line 36 in L.D.) by striking out the under-
lined word "group"

14

15

16

17

Further amend the bill in section 4 in that part
designated "§2325-A." in subsection 5 in the first
line (page 5, line 1 in L.D.) by striking out the
underlined word "group"

18

19

20

21

Further amend the bill in section 4 in that part
designated "§2325-A." in subsection 8 in the 6th line
from the end (page 5, line 30 in L.D.) by striking
out the underlined word "group"

22

23

Further amend the bill by inserting after section
4 the following:

24

25

'Sec. 5. 24-A MRSA §2744, as enacted by PL 1975,
c. 170, §104, is repealed.

26

27

Sec. 6. 24-A MRSA §2744-A is enacted to read:

28

§2744-A. Mental health services coverage

29

30

31

32

33

1. Findings. The Legislature finds that:
A. Mental illness affects nearly 170,000 Maine
people each year, resulting in anguish, grief,
desperation, fear, isolation and a sense of
hopelessness of significant levels among victims
and families;

HOUSE AMENDMENT "B" to S.P. 596, L.D. 1718

1 B. Consequences of mental illness include the
2 expenditure of millions of dollars of public
3 funds for treatment and losses of millions of
4 dollars by Maine businesses in accidents, absen-
5 teeism, nonproductivity and turnover. Excessive
6 stress and anxiety and other forms of mental ill-
7 ness clearly contribute to general health prob-
8 lems and costs;

9 C. Typical health coverage in this State dis-
10 criminates against mental illness, the victims
11 and affected families with nonexistent or limited
12 benefits compared to provisions for other ill-
13 nesses; and

14 D. Experience in this State and several other
15 states demonstrates that the risk of mental ill-
16 ness can be insured at reasonable cost and with
17 adequate controls on quality and utilization of
18 treatment.

19 2. Policy and purpose. The Legislature declares
20 that it is the policy of this State to:

21 A. Promote equitable and nondiscriminatory
22 health coverage benefits for all forms of ill-
23 ness, including mental and emotional disorders,
24 which are of significant consequence to the
25 health of Maine people and which can be treated
26 in a cost-effective manner;

27 B. Assure that victims of mental and other ill-
28 nesses have access to and choice of appropriate
29 treatment at the earliest point of illness in
30 least restrictive settings;

31 C. Assure that costs of treatment of mental ill-
32 ness are supported through an equitable combina-
33 tion of public and private responsibilities; and

34 D. Assure that the Legislature reasonably exer-
35 cises its legal responsibility for insurance

HOUSE AMENDMENT "B" to S.P. 596, L.D. 1718

1 policy in this State by prescribing types of ill-
2 nesses and treatment for which benefits shall be
3 provided.

4 3. Definitions. For purposes of this section,
5 unless the context otherwise indicates, the following
6 terms have the following meanings.

7 A. "Day treatment services" includes psychoed-
8 ucational, physiological, psychological and
9 psychosocial concepts, techniques and processes
10 to maintain or develop functional skills of
11 clients, provided to individuals and groups for
12 periods of more than 2 hours but less than 24
13 hours per day.

14 B. "Inpatient services" includes a range of
15 physiological, psychological and other inter-
16 vention concepts, techniques and processes in a
17 community mental health psychiatric inpatient
18 unit, general hospital psychiatric unit or
19 psychiatric hospital licensed by the Department
20 of Human Services or accredited public hospital
21 to restore psychosocial functioning sufficient to
22 allow maintenance and support of the client in a
23 less restrictive setting.

24 C. "Outpatient services" includes screening,
25 evaluation, consultations, diagnosis and treat-
26 ment involving use of psychoeducational, physio-
27 logical, psychological and psychosocial evalua-
28 tive and interventive concepts, techniques and
29 processes provided to individuals and groups.

30 D. "Person suffering from a mental or nervous
31 condition" means a person whose psychobiological
32 processes are impaired severely enough to mani-
33 fest problems in the areas of social, psycho-
34 logical or biological functioning. Such a person
35 has a disorder of thought, mood, perception,
36 orientation or memory which impairs judgment,
37 behavior, capacity to recognize or ability to

HOUSE AMENDMENT "B" to S.P. 596, L.D. 1718

1 cope with the ordinary demands of life. The
2 person manifests an impaired capacity to maintain
3 acceptable levels of functioning in the areas of
4 intellect, emotion or physical well-being.

5 E. "Provider" means individuals included in
6 Title 24, section 2303, subsection 2, and a li-
7 icensed physician with 3 years' approved residency
8 in psychiatry, an accredited public hospital or
9 psychiatric hospital or a community agency li-
10 icensed at the comprehensive service level by the
11 Department of Mental Health and Mental Retarda-
12 tion. All agency or institutional providers
13 named in this paragraph shall assure that ser-
14 vices are supervised by a psychiatrist or li-
15 icensed psychologist.

16 4. Requirement. Every insurer which issues
17 health insurance policies providing coverage for
18 hospital care to residents of this State shall pro-
19 vide benefits as required in this section to any sub-
20 scriber or other person covered under those policies
21 for conditions arising from mental illness.

22 5. Services. Each health insurance policy shall
23 provide, at a minimum, for the following benefits for
24 a person suffering from a mental or nervous condi-
25 tion:

26 A. Inpatient care;

27 B. Day treatment services; and

28 C. Outpatient services.

29 6. Limits; coinsurance; deductibles. Any policy
30 or contract which provides coverage for the services
31 required by this section may contain provisions for
32 maximum benefits and coinsurance and reasonable
33 limitations, deductibles and exclusions to the extent
34 that these provisions are not inconsistent with the
35 requirements of this section.

HOUSE AMENDMENT "B" to S.P. 596, L.D. 1718

1 7. Reports to the Superintendent of Insur-
2 ance. Every insurer subject to this section shall
3 report its experience for each calendar year begin-
4 ning with 1984 to the superintendent not later than
5 April 30th of the following year. The report shall
6 be in a form prescribed by the superintendent and
7 shall include the amount of claims paid in this State
8 for the services required by this section and the
9 total amount of claims paid in this State for health
10 insurance policies, both separated between those paid
11 for inpatient, day treatment and outpatient services.
12 The superintendent shall compile this data for all
13 insurers in an annual report.

14 8. Application; expiration. The requirements of
15 this section shall apply to all policies executed,
16 delivered, issued for delivery or renewed in this
17 State on or after January 1, 1984. The requirements
18 of this section shall expire on January 1, 1988.'

19 Further amend the bill by renumbering the sec-
20 tions to read consecutively.

21 STATEMENT OF FACT

22 The purpose of this amendment is to extend the
23 coverage of the bill to all health insurance policies
24 not just group health insurance policies.

Filed by Rep. Racine of Biddeford
Reproduced and distributed under the direction of the Clerk of
the House
6/6/83 (Filing No. H-350)