

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)

00/K
R. of S.

L.D. 183

(Filing No. H- 660)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46
48

STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 138,
L.D. 183, Bill, "An Act to Remove the Repeal Date from the Laws
Governing Equitable Insurance Coverage for Mental Illness"

Amend the amendment by inserting after the title the
following:

'Amend the bill by striking out the title and substituting
the following:

'An Act to Reenact the Laws Governing Equitable Insurance
Coverage for Mental Illness'

Further amend the amendment by striking out all of the first
indented paragraph (page 1, lines 17 and 18 in amendment) and
inserting in its place the following:

'Further amend the bill by striking out all of the emergency
preamble.

Further amend the bill by striking out all of section 1 and
inserting in its place the following:

'Sec. 1. 24 MRSA §2325-A, sub-§5-C is enacted to read:

5-C. Coverage for certain mental illness treatment.
Coverage for medical treatment for mental illnesses listed in
paragraph A is subject to this subsection. Nothing in this
subsection requires benefit levels or maximum lifetime or annual
benefits for medical treatment for mental illness that exceed the
benefit levels or maximum lifetime or annual benefits for other
illnesses and diseases.

A. All group contracts must provide at a minimum benefits
according to paragraph B, subparagraphs (1) to (3) for the
usual, customary and reasonable charges for a person
receiving medical treatment for:

HOUSE AMENDMENT

R. of S.

- 2 (1) Schizophrenia;
- 4 (2) Bipolar disorder;
- 6 (3) Pervasive developmental disorder, or autism;
- 8 (4) Childhood schizophrenia;
- 10 (5) Psychotic depression, or involuntional melancholia;
- 12 (6) Paranoia;
- 14 (7) Panic disorder;
- 16 (8) Obsessive-compulsive disorder; or
- 18 (9) Major depressive disorder.

20 B. All policies and certificates executed, delivered,
22 issued for delivery, continued or renewed in this State on
24 or after January 1, 1994 must provide benefits that meet the
26 requirements of this paragraph. For purposes of this
28 paragraph, all contracts are deemed to be renewed no later
30 than the next yearly anniversary of the contract date.

- 32 (1) The contracts must provide inpatient care benefits
34 of at least 60 days per calendar year.
- 36 (2) The contracts must provide outpatient care
38 benefits of at least \$2,000 for any combination of
40 outpatient and day treatment care. The minimum level
42 of benefits provided must be at least 60% of the usual,
44 customary and reasonable charge.
- 46 (3) The contracts must contain maximum lifetime
48 benefits for any mental illness listed in paragraph A
50 equal to the maximum lifetime benefits provided for
 other illnesses and diseases.

52 C. All policies and certificates executed, delivered,
54 issued for delivery, continued or renewed in this State on
56 or after January 1, 1995 must provide benefits that meet the
58 requirements of this paragraph. For purposes of this
60 paragraph, all contracts are deemed to be renewed no later
62 than the next yearly anniversary of the contract date.

- 64 (1) The contracts must provide inpatient care benefits
66 of at least 90 days per calendar year.

R. of S.

2 (2) The contracts must provide outpatient care
4 benefits of at least \$3,000 for any combination of
6 outpatient and day treatment care. The minimum level
8 of benefits provided must be at least 70% of the usual,
10 customary and reasonable charge.

12 (3) The contracts must contain maximum lifetime
14 benefits for any mental illness listed in paragraph A
16 equal to the maximum lifetime benefits provided for
18 other illnesses and diseases.

20 D. All policies and certificates executed, delivered,
22 issued for delivery, continued or renewed in this State on
24 or after January 1, 1996 must provide benefits that meet the
26 requirements of this paragraph. For purposes of this
28 paragraph, all contracts are deemed to be renewed no later
30 than the next yearly anniversary of the contract date.

32 (1) The contracts must provide inpatient care benefits
34 of at least 120 days per calendar year.

36 (2) The contracts must provide outpatient care
38 benefits of at least \$4,000 for any combination of
40 outpatient and day treatment care. The minimum level
42 of benefits provided must be at least 80% of the usual,
44 customary and reasonable charge.

46 (3) The contracts must contain maximum lifetime
48 benefits for any mental illness listed in paragraph A
50 equal to the maximum lifetime benefits provided for
52 other illnesses and diseases.

54 E. All policies and certificates executed, delivered,
56 issued for delivery, continued or renewed in this State on
58 or after January 1, 1997 must provide benefits equal to
60 benefits provided for other illnesses and diseases and
62 maximum lifetime benefits equal to the maximum lifetime
64 benefits provided for other illnesses and diseases. The
66 contracts may not contain a maximum lifetime benefit for any
68 mental illness listed in paragraph A.

70 Sec. 2. 24 MRSA §2325-A, sub-§9, as amended by PL 1991, c.
72 881, §2 and affected by §§7 and 8, is repealed and the following
74 enacted in its place:

76 9. Application; expiration. Except as otherwise provided,
78 the requirements of this section apply to all policies and any
80 certificates executed, delivered, issued for delivery, continued
82 or renewed in this State on or after January 1, 1984. For

R. of S.

2 purposes of this section, all contracts are deemed to be renewed
3 no later than the next yearly anniversary of the contract date.

4 **Sec. 3. 24-A MRSA §2843, sub-§5-C is enacted to read:**

6 **5-C. Coverage for certain mental illness treatment.**
7 Coverage for medical treatment for mental illnesses listed in
8 paragraph A is subject to this subsection. Nothing in this
9 subsection requires benefit levels or maximum lifetime or annual
10 benefits for medical treatment for mental illness that exceed the
11 benefit levels or maximum lifetime or annual benefits for other
12 illnesses and diseases.

14 A. All group contracts must provide at a minimum benefits
15 according to paragraph B, subparagraphs (1) to (3) for the
16 usual, customary and reasonable charges for a person
17 receiving medical treatment for:

- 18 (1) Schizophrenia;
19
20 (2) Bipolar disorder;
21
22 (3) Pervasive developmental disorder, or autism;
23
24 (4) Childhood schizophrenia;
25
26 (5) Psychotic depression, or involuntional melancholia;
27
28 (6) Paranoia;
29
30 (7) Panic disorder;
31
32 (8) Obsessive-compulsive disorder; or
33
34 (9) Major depressive disorder.

36 B. All policies and certificates executed, delivered,
37 issued for delivery, continued or renewed in this State on
38 or after January 1, 1994 must provide benefits that meet the
39 requirements of this paragraph. For purposes of this
40 paragraph, all contracts are deemed to be renewed no later
41 than the next yearly anniversary of the contract date.

44 (1) The contracts must provide inpatient care benefits
45 of at least 60 days per calendar year.

46 (2) The contracts must provide outpatient care
47 benefits of at least \$2,000 for any combination of
48 outpatient and day treatment care. The minimum level

R. of S.

of benefits provided must be at least 60% of the usual,
customary and reasonable charge.

(3) The contracts must contain maximum lifetime
benefits for any mental illness listed in paragraph A
equal to the maximum lifetime benefits provided for
other illnesses and diseases.

C. All policies and certificates executed, delivered,
issued for delivery, continued or renewed in this State on
or after January 1, 1995 must provide benefits that meet the
requirements of this paragraph. For purposes of this
paragraph, all contracts are deemed to be renewed no later
than the next yearly anniversary of the contract date.

(1) The contracts must provide inpatient care benefits
of at least 90 days per calendar year.

(2) The contracts must provide outpatient care
benefits of at least \$3,000 for any combination of
outpatient and day treatment care. The minimum level
of benefits provided must be at least 70% of the usual,
customary and reasonable charge.

(3) The contracts must contain maximum lifetime
benefits for any mental illness listed in paragraph A
equal to the maximum lifetime benefits provided for
other illnesses and diseases.

D. All policies and certificates executed, delivered,
issued for delivery, continued or renewed in this State on
or after January 1, 1996 must provide benefits that meet the
requirements of this paragraph. For purposes of this
paragraph, all contracts are deemed to be renewed no later
than the next yearly anniversary of the contract date.

(1) The contracts must provide inpatient care benefits
of at least 120 days per calendar year.

(2) The contracts must provide outpatient care
benefits of at least \$4,000 for any combination of
outpatient and day treatment care. The minimum level
of benefits provided must be at least 80% of the usual,
customary and reasonable charge.

(3) The contracts must contain maximum lifetime
benefits for any mental illness listed in paragraph A
equal to the maximum lifetime benefits provided for
other illnesses and diseases.

R. of S.

2 E. All policies and certificates executed, delivered,
3 issued for delivery, continued or renewed in this State on
4 or after January 1, 1997 must provide benefits equal to
5 benefits provided for other illnesses and diseases and
6 maximum lifetime benefits equal to the maximum lifetime
7 benefits provided for other illnesses and diseases. The
8 contracts may not contain a maximum lifetime benefit for any
9 mental illness listed in paragraph A.

10 **Sec. 4. 24-A MRSA §2843, sub-§8,** as amended by PL 1991, c.
11 881, §4 and affected by §§7 and 8, is repealed and the following
12 enacted in its place:

14 **8. Application; expiration.** Except as otherwise provided,
15 the requirements of this section apply to all policies and any
16 certificates executed, delivered, issued for delivery, continued
17 or renewed in this State on or after January 1, 1984. For
18 purposes of this section, all contracts are deemed to be renewed
19 no later than the next yearly anniversary of the contract date.'

20 Further amend the amendment by striking out all of sections
21 3 and 4 and inserting in their place the following:

24 '**Sec. 3. Appropriation.** The following funds are appropriated
25 from the General Fund to carry out the purposes of this Act.

1994-95

28 **ADMINISTRATIVE AND FINANCIAL**
30 **SERVICES, DEPARTMENT OF**

32 **Departments and Agencies -**
33 **Statewide**

34 Personal Services \$49,036

36 Provides for the appropriation of funds
37 associated with an increase in health
38 insurance costs due to an expansion of
39 mental health coverage.

42 **Sec. 4. Allocation.** The following funds are allocated from the
43 Highway Fund to carry out the purposes of this Act.

1994-95

46 **ADMINISTRATIVE AND FINANCIAL**
48 **SERVICES, DEPARTMENT OF**

R. of S

2 **Departments and Agencies -
Statewide**

4 Personal Services \$14,898

6 Provides for the allocation of funds
8 associated with an increase in health
insurance costs due to an expansion of
10 mental health coverage.'

12 Further amend the amendment by renumbering the sections to
read consecutively.

14 Further amend the amendment by inserting after section 4 the
following:

16 'Further amend the bill by striking out all of the emergency
18 clause.'

20 Further amend the amendment by striking out all of the
22 fiscal note and inserting in its place the following:

24 **FISCAL NOTE**

1994-95

26 **APPROPRIATIONS/ALLOCATIONS**

28	General Fund	\$49,036
	Highway Fund	14,898
30	Other Funds	35,914

32 This bill reestablishes laws that expand coverage for
34 certain mental illnesses and will increase the cost of the
State's employee health insurance program beginning in fiscal
36 year 1994-95. A General Fund appropriation of \$49,036 in fiscal
year 1994-95 and a Highway Fund allocation of \$14,898 in fiscal
38 year 1994-95 will be required. The costs to accounts in Other
Funds may require increased allotments to meet these additional
personal services expenditures.

40 The Governor's proposed current services budget includes
42 changes that may affect this bill's impact on the employer share
of the health insurance cost. This estimate of the fiscal impact
44 may need to be adjusted based on final legislative actions on the
current services budget.

46 It is not possible to determine the impact of this expanded
48 coverage on the Medicaid program or any other health programs.'

50

HOUSE AMENDMENT

STATEMENT OF FACT

2

4

6

8

10

This amendment reenacts the laws governing equitable insurance coverage for mental illness as enacted by Public Law 1991, chapter 881. Because this amendment removes the emergency status of the bill, those laws will repeal automatically on July 1, 1993. This amendment retains the substantive changes proposed by House Amendment "A" (H-607) and changes the phase-in dates by moving them 6 months later.

Filed by Rep. Dore of Auburn
Reproduced and distributed under the direction of the Clerk of the
House
6/14/93 (Filing No. H-660)

18