

MAINE STATE LEGISLATURE

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L.D. 68

DATE: February 29, 1996 (Filing No. S- 441)

BANKING AND INSURANCE

Reported by: Senator ABROMSON of Cumberland for the Committee.

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**STATE OF MAINE
SENATE
117TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT " B " to S.P. 38, L.D. 68, Bill, "An Act to Increase Access to and Affordability of Mental Health and Substance Abuse Treatment Services by Providing Mandatory Reimbursement to Counseling Professionals who are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems"

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

'An Act to Make Available Coverage for Mental Health Services Provided by Counseling Professionals Who Are Licensed to Assess and Treat Intrapersonal and Interpersonal Problems'

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

'Sec. 1. 24 MRSA §2303, sub-§5 is enacted to read:

5. Mental health services provided by counseling professionals. A nonprofit hospital or medical service organization that issues individual or group health care contracts providing coverage for mental health services shall offer coverage for those services when performed by a counseling professional who is licensed by the State pursuant to Title 32, chapter 119 to assess and treat interpersonal and intrapersonal problems, has at least a masters degree in counseling or a related field from an accredited educational institution and has been employed as a counselor for at least 2 years. Any contract providing coverage for the services of counseling professionals pursuant to this subsection may be subject to any reasonable

COMMITTEE AMENDMENT

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2 limitations, maximum benefits, coinsurance, deductibles or
3 exclusion provisions applicable to overall benefits under the
4 contract. This subsection applies to all contracts executed,
5 delivered, issued for delivery, continued or renewed in this
6 State on or after January 1, 1997. For purposes of this
7 subsection, all contracts are deemed renewed no later than the
8 next yearly anniversary of the contract date.

9
10 **Sec. 2. 24-A MRSA §2744, sub-§3 is enacted to read:**

11 **3. Mental health services provided by counseling**
12 **professionals. An insurer that issues individual health care**
13 **contracts providing coverage for mental health services shall**
14 **offer coverage for those services when performed by a counseling**
15 **professional who is licensed by the State pursuant to Title 32,**
16 **chapter 119 to assess and treat interpersonal and intrapersonal**
17 **problems, has at least a masters degree in counseling or a**
18 **related field from an accredited educational institution and has**
19 **been employed as a counselor for at least 2 years. Any contract**
20 **providing coverage for the services of counseling professionals**
21 **pursuant to this section may be subject to any reasonable**
22 **limitations, maximum benefits, coinsurance, deductibles or**
23 **exclusion provisions applicable to overall benefits under the**
24 **contract. This subsection applies to all contracts executed,**
25 **delivered, issued for delivery, continued or renewed in this**
26 **State on or after January 1, 1997. For purposes of this**
27 **subsection, all contracts are deemed renewed no later than the**
28 **next yearly anniversary of the contract date.**

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30 **Sec. 3. 24-A MRSA §2835, sub-§3 is enacted to read:**

31 **3. Mental health services provided by counseling**
32 **professionals. An insurer that issues group health care**
33 **contracts providing coverage for mental health services shall**
34 **make available coverage for those services when performed by a**
35 **counseling professional who is licensed by the State pursuant to**
36 **Title 32, Chapter 119 to assess and treat interpersonal and**
37 **intrapersonal problems, has at least a masters degree in**
38 **counseling or a related field from an accredited educational**
39 **institution and has been employed as a counselor for at least 2**
40 **years. Any contract providing coverage for the services of**
41 **counseling professionals pursuant to this section may be subject**
42 **to any reasonable limitations, maximum benefits, coinsurance,**
43 **deductibles or exclusion provisions applicable to overall**
44 **benefits under the contract. This subsection applies to all**
45 **contracts executed, delivered, issued for delivery, continued or**
46 **renewed in this State on or after January 1, 1997. For purposes**
47 **of this subsection, all contracts are deemed renewed no later**
48 **than the next yearly anniversary of the contract date.'**

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51 Further amend the bill by inserting at the end before the
52 statement of fact the following:

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FISCAL NOTE

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The Bureau of Insurance will incur some minor additional costs to administer new form filings. These costs can be absorbed within the bureau's existing budgeted resources.

Since the State is not required to make any changes to its employee health insurance program as a result of a mandated offer, no additional costs to state departments and agencies will result.'

STATEMENT OF FACT

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This amendment replaces the bill with a mandated offer of coverage for mental health services performed by licensed counseling professionals. The amendment requires that nonprofit hospital and medical service organizations and insurers make available coverage for mental health services provided by counselors in individual and group contracts at the option of the policyholder. It applies to all contracts executed or renewed on or after January 1, 1997.