

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)



117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 1630

S.P. 622

In Senate, December 22, 1995

**An Act to Allow the Diagnosis of Biologically-based Mental Illness by
Licensed Psychologists.**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Received by the Secretary of the Senate on December 20, 1995. Referred to the Committee
on Banking and Insurance and ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator ABROMSON of Cumberland.
Cosponsored by Representative POVICH of Ellsworth and
Senators: AMERO of Cumberland, BUSTIN of Kennebec, CARPENTER of York,
FAIRCLOTH of Penobscot, McCORMICK of Kennebec, MILLS of Somerset, PENDEXTER
of Cumberland, SMALL of Sagadahoc, Representatives: BRENNAN of Portland,
CAMERON of Rumford, DORE of Auburn, KONTOS of Windham, LIBBY of Buxton.

2 **Emergency preamble. Whereas,** Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 **Whereas,** under current law, provisions governing insurance
6 coverage for biologically-based mental illnesses are scheduled to
take effect July 1, 1996; and

8 **Whereas,** the provisions authorize the diagnosis of these
10 mental illnesses only by licensed allopathic or osteopathic
physicians; and

12 **Whereas,** in current practice, many of these diagnoses are
14 made by psychologists at the request of physicians; and

16 **Whereas,** this legislation authorizes the diagnosis of
biologically-based mental illnesses by licensed psychologists; and

18 **Whereas,** in the judgment of the Legislature, these facts
20 create an emergency within the meaning of the Constitution of
Maine and require the following legislation as immediately
22 necessary for the preservation of the public peace, health and
safety; now, therefore,

24 **Be it enacted by the People of the State of Maine as follows:**

26 **Sec. 1. 24 MRSA §2325-A, sub-§5-C, ¶A,** as repealed and replaced
28 by PL 1995, c. 407, §1, is amended to read:

30 A. All group contracts must provide, at a minimum, benefits
32 according to paragraph B, subparagraph (1) for a person
receiving medical treatment for any of the following mental
34 illnesses diagnosed by a licensed allopathic or osteopathic
physician or a licensed psychologist who is trained and has
36 received a doctorate in psychology specializing in the
evaluation and treatment of human behavior:

- 38 (1) Schizophrenia;
- 40 (2) Bipolar disorder;
- 42 (3) Pervasive developmental disorder, or autism;
- 44 (4) Paranoia;
- 46 (5) Panic disorder;
- 48 (6) Obsessive-compulsive disorder; or
- 50 (7) Major depressive disorder.

2 **Sec. 2. 24 MRSA §2325-A, sub-§5-D, ¶A**, as enacted by PL 1995,
c. 407, §2, is amended to read:

4
6 A. All individual and group contracts must make available
coverage providing, at a minimum, benefits according to
8 paragraph B, subparagraph (1) for a person receiving medical
treatment for any of the following mental illnesses
10 diagnosed by a licensed allopathic or osteopathic physician
or a licensed psychologist who is trained and has received a
12 doctorate in psychology specializing in the evaluation and
treatment of human behavior:

- 14 (1) Schizophrenia;
- 16 (2) Bipolar disorder;
- 18 (3) Pervasive developmental disorder, or autism;
- 20 (4) Paranoia;
- 22 (5) Panic disorder;
- 24 (6) Obsessive-compulsive disorder; or
- 26 (7) Major depressive disorder.

28 **Sec. 3. 24-A MRSA §2749-C, sub-§1, ¶A**, as enacted by PL 1995,
c. 407, §5, is amended to read:

30
32 A. All individual policies must make available coverage
providing, at a minimum, benefits according to paragraph B,
34 subparagraph (1) for a person receiving medical treatment
for any of the following mental illnesses diagnosed by a
36 licensed allopathic or osteopathic physician or a licensed
psychologist who is trained and has received a doctorate in
38 psychology specializing in the evaluation and treatment of
human behavior:

- 40 (1) Schizophrenia;
- 42 (2) Bipolar disorder;
- 44 (3) Pervasive developmental disorder, or autism;
- 46 (4) Paranoia;
- 48 (5) Panic disorder;
- 50 (6) Obsessive-compulsive disorder; or

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

(7) Major depressive disorder.

Sec. 4. 24-A MRSA §2843, sub-§5-C, ¶A, as repealed and replaced by PL 1995, c. 407, §6, is amended to read:

A. All group contracts must provide, at a minimum, benefits according to paragraph B, subparagraph (1) for a person receiving medical treatment for any of the following mental illnesses diagnosed by a licensed allopathic or osteopathic physician or a licensed psychologist who is trained and has received a doctorate in psychology specializing in the evaluation and treatment of human behavior:

- (1) Schizophrenia;
- (2) Bipolar disorder;
- (3) Pervasive developmental disorder, or autism;
- (4) Paranoia;
- (5) Panic disorder;
- (6) Obsessive-compulsive disorder; or
- (7) Major depressive disorder.

Sec. 5. 24-A MRSA §2843, sub-§5-D, ¶A, as enacted by PL 1995, c. 407, §7, is amended to read:

A. All group contracts must make available coverage providing, at a minimum, benefits according to paragraph B, subparagraph (1) for a person receiving medical treatment for any of the following mental illnesses diagnosed by a licensed allopathic or osteopathic physician or a licensed psychologist who is trained and has received a doctorate in psychology specializing in the evaluation and treatment of human behavior:

- (1) Schizophrenia;
- (2) Bipolar disorder;
- (3) Pervasive developmental disorder, or autism;
- (4) Paranoia;
- (5) Panic disorder;

2 (6) Obsessive-compulsive disorder; or

4 (7) Major depressive disorder.

6 **Sec. 6. 24-A MRSA §4234-A, sub-§6, ¶A**, as enacted by PL 1995,
c. 407, §10, is amended to read:

8
10 A. All group contracts must provide, at a minimum, benefits
12 according to paragraph B, subparagraph (1) for a person
14 receiving medical treatment for any of the following mental
illnesses diagnosed by a licensed allopathic or osteopathic
physician or a licensed psychologist who is trained and has
received a doctorate in psychology specializing in the
evaluation and treatment of human behavior:

16 (1) Schizophrenia;

18 (2) Bipolar disorder;

20 (3) Pervasive developmental disorder, or autism;

22 (4) Paranoia;

24 (5) Panic disorder;

26 (6) Obsessive-compulsive disorder; or

28 (7) Major depressive disorder. b! 1995, c. 407, @10
30 (new). ?b

32 **Sec. 7. 24-A MRSA §4234-A, sub-§7, ¶A**, as enacted by PL 1995,
c. 407, §10, is amended to read:

34
36 A. All individual and group contracts ~~shall~~ must make
available coverage providing, at a minimum, benefits
38 according to paragraph B, subparagraph (1) for a person
receiving medical treatment for any of the following mental
40 illnesses diagnosed by a licensed allopathic or osteopathic
physician or a licensed psychologist who is trained and has
received a doctorate in psychology specializing in the
42 evaluation and treatment of human behavior:

44 (1) Schizophrenia;

46 (2) Bipolar disorder;

48 (3) Pervasive developmental disorder, or autism;

50 (4) Paranoia;

2
4
6
8
10
12
14
16
18

- (5) Panic disorder;
- (6) Obsessive-compulsive disorder; or
- (7) Major depressive disorder.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

STATEMENT OF FACT

This bill expands the diagnostic language of the statutory provisions governing insurance coverage for biologically-based mental illnesses to include the diagnoses of licensed psychologists. The bill is an emergency and takes effect when approved.