

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1493

H.P. 1062

House of Representatives, February 25, 1999

An Act Regarding Private Long-term Disability Insurance for Mental Illnesses.

Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative PERRY of Bangor.

Cosponsored by Representatives: BRENNAN of Portland, DUNLAP of Old Town, JABAR of Waterville, QUINT of Portland, STANWOOD of Southwest Harbor, Senator: MURRAY of Penobscot.

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

2 **Sec. 1. 24-A MRSA §2701, sub-§2**, as amended by PL 1995, c.
4 332, Pt. J, §1, is further amended to read:

6 2. Any group or blanket policy, except that:

8 A. Sections 2736, 2736-A and 2736-B apply to group Medicare
10 supplement policies as defined in chapter 67 and group
nursing home care and long-term care insurance policies as
12 defined in chapter 68;

14 B. Section 2752 applies with respect to mandated benefits
for group or blanket health policies; and

16 C. Section 2736-C applies to:

18 (1) Association groups as defined by section 2805-A,
20 except associations of employers; and

22 (2) Other groups as defined by section 2808+; and

24 D. Section 2737-A applies to group or blanket policies for
long-term disabilities.

26 **Sec. 2. 24-A MRSA §2737-A** is enacted to read:

28 **§2737-A. Long-term disabilities resulting from certain
30 mental illnesses**

32 1. Definitions. As used in this section, unless the
context otherwise indicates, "carrier" means any insurance
34 company, nonprofit hospital and medical service organization or
health maintenance organization authorized to issue individual or
group long-term disability policies or contracts in this State.

36 2. Mandated long-term disabilities coverage. All long-term
38 disability policies, contracts and certificates executed,
delivered, issued for delivery, continued or renewed in this
40 State by carriers on or after January 1, 2000 must provide
benefits that meet the requirements of subsection 3. For
42 purposes of this subsection, a contract is deemed renewed no
later than the next yearly anniversary of the contract date.

44 3. Coverage for certain mental illnesses. The contracts
46 covered by subsection 2 must provide, at a minimum, long-term
disability benefits for disabilities resulting from any of the
48 following mental illnesses diagnosed by a licensed allopathic or
osteopathic physician or a licensed psychologist who is trained
50 and has received a doctorate in psychology specializing in the
evaluation and treatment of human behavior:

- 2 A. Schizophrenia;
- 4 B. Bipolar disorder;
- 6 C. Pervasive developmental disorder or autism;
- 8 D. Paranoia;
- 10 E. Panic disorder;
- 12 F. Obsessive-compulsive disorder;
- 14 G. Major depressive disorder;
- 16 H. Posttraumatic stress disorder;
- 18 I. Anorexia or bulimia; or
- 20 J. Alcoholism or other drug dependencies.

22 The contracts must provide benefits for long-term disabilities
24 resulting from the mental illnesses set forth in this subsection
26 under terms and conditions that are no less extensive than the
28 benefits provided for long-term disabilities resulting from
30 physical illnesses.

32 4. Substantiating data. At the request of a carrier, a
34 provider of medical treatment for mental illness shall furnish
36 data substantiating that a disability results from mental
38 illness. When making this determination, the provider shall use
40 the same criteria for determining disability resulting from
42 mental illness as for determining disability resulting from
44 physical illness under the carrier's long-term disability
46 contract.

SUMMARY

48 This bill requires all long-term disability insurance
50 policies or contracts offered by group or individual insurers,
52 nonprofit hospital and medical service organizations or health
54 maintenance organizations to cover disabilities resulting from
56 certain mental illnesses.