

# MAINE STATE LEGISLATURE

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INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 426, L.D. 563, Bill, "An Act To Require That Mental Health Workers with LCPC Licenses Are Recognized as Licensed Professionals for Purposes of Insurance Reimbursement"

Amend the bill in section 1 in that part designated "§2744." by striking out all of subsection 3 (page 2, lines 16 to 33 in L.D.) and inserting in its place the following:

'3. Mental health services provided by counseling professionals. An Except as provided in subsection 1 with regard to reimbursement of clinical professional counselors licensed in this State, an insurer that issues individual 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 section may be subject to any reasonable limitations, maximum benefits, coinsurance, deductibles or exclusion provisions applicable to overall benefits under the contract. This subsection applies to all contracts executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 1997. For purposes of this subsection, all contracts are deemed renewed no later than the next yearly anniversary of the contract date.'

COMMITTEE AMENDMENT

2 Further amend the bill in section 2 in that part designated  
3 "\$2835." by striking out all of subsection 3 (page 3, lines 48 to  
4 50 and page 4, lines 1 and 15 in L.D.) and inserting in its place  
5 the following:

6  
7 '3. Mental health services provided by counseling  
8 professionals. An Except as provided in subsection 1 with regard  
9 to reimbursement of clinical professional counselors licensed in  
10 this State, an insurer that issues group health care contracts  
11 providing coverage for mental health services shall make  
12 available coverage for those services when performed by a  
13 counseling professional who is licensed by the State pursuant to  
14 Title 32, chapter 119 to assess and treat interpersonal and  
15 intrapersonal problems, has at least a masters degree in  
16 counseling or a related field from an accredited educational  
17 institution and has been employed as a counselor for at least 2  
18 years. Any contract providing coverage for the services of  
19 counseling professionals pursuant to this section may be subject  
20 to any reasonable limitations, maximum benefits, coinsurance,  
21 deductibles or exclusion provisions applicable to overall  
22 benefits under the contract. This subsection applies to all  
23 contracts executed, delivered, issued for delivery, continued or  
24 renewed in this State on or after January 1, 1997. For purposes  
25 of this subsection, all contracts are deemed renewed no later  
26 than the next yearly anniversary of the contract date.'

27 Further amend the bill by inserting after section 3 the  
28 following:

29  
30 'Sec. 4. Exemption from review. Notwithstanding the Maine  
31 Revised Statutes, Title 24-A, section 2752, this Act is enacted  
32 without review and evaluation by the Department of Professional  
33 and Financial Regulation, Bureau of Insurance.'

34 Further amend the bill by relettering or renumbering any  
35 nonconsecutive Part letter or section number to read  
36 consecutively.

#### 40 SUMMARY

41 This amendment retains the mandated offer provision in  
42 current law, which the bill would remove, that requires health  
43 insurers to make available coverage for mental health services  
44 provided by professional counselors, marriage and family  
45 therapists and pastoral counselors licensed in this State.

46 The amendment also adds language exempting the bill from a  
47 review and evaluation by the Department of Professional and  
48

**R.018**

COMMITTEE AMENDMENT "A" to H.P. 426, L.D. 563

2 Financial Regulation, Bureau of Insurance before its enactment  
because the proposal contained in the bill was previously studied.

**COMMITTEE AMENDMENT**