MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1910

H.P. 1416

House of Representatives, January 5, 2022

An Act To Improve Children's Mental Health by Requiring Insurance Coverage for Certain Mental Health Treatment

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Health Coverage, Insurance and Financial Services suggested and ordered printed.

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative TEPLER of Topsham.

Cosponsored by Representatives: ARFORD of Brunswick, GRAMLICH of Old Orchard Beach, MADIGAN of Waterville, Senator: SANBORN of Cumberland.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not 2 become effective until 90 days after adjournment unless enacted as emergencies; and 3 Whereas, the COVID-19 pandemic has exacerbated the need for mental health 4 treatment, especially among young people in the State; and 5 Whereas, in response to COVID-19 and on an ongoing basis, it is important for young people in the State to have access to mental health treatment that uses evidence-based 6 practices; and 7 8 Whereas, health insurance carriers are denying to children mental health treatment 9 that uses evidence-based practices, such as multisystemic treatments; and 10 Whereas, the purpose of this legislation is to ensure that health insurance carriers 11 provide coverage for mental health treatment that uses evidence-based practices; and 12 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as 13 immediately necessary for the preservation of the public peace, health and safety; now, 14 15 therefore, 16 Be it enacted by the People of the State of Maine as follows: 17 Sec. 1. 24-A MRSA §4320-A, as amended by PL 2019, c. 653, Pt. C, §1, is further amended by amending the section headnote to read: 18 19 §4320-A. Coverage of preventive and, primary health and mental health services 20 Sec. 2. 24-A MRSA §4320-A, sub-§4 is enacted to read: 4. Coverage of evidence-based mental health services for children. A carrier 21 offering a health plan in this State with an effective date on or after January 1, 2023 shall, 22 at a minimum, provide coverage for mental health treatment services that use evidence-23 based practices that are recommended by a provider for a child 18 years of age or younger. 24 For the purposes of this subsection, "evidence-based practices" means clinically sound and 25 scientifically based policies, practices and programs that reflect expert consensus on the 26 27 prevention, treatment and recovery science published and disseminated by the United States Department of Health and Human Services, Substance Abuse and Mental Health 28 29 Services Administration or its successor organization. 30 Sec. 3. Application. The requirements of this Act apply to all policies, contracts and 31 certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2023. For purposes of this Act, all contracts are deemed to be renewed 32 33 no later than the next yearly anniversary of the contract date. 34 **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved. 35 **SUMMARY** 36 37 This bill requires health insurance carriers to provide coverage for mental health 38 treatment services that use evidence-based practices that are recommended by a provider for a child 18 years of age or younger. The bill defines "evidence-based practices" as 39 40 clinically sound and scientifically based policies, practices and programs that reflect expert

- consensus on the prevention, treatment and recovery science published and disseminated by the United States Department of Health and Human Services, Substance Abuse and 1
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- Mental Health Services Administration. The bill's requirements apply to health plans with an effective date on or after January 1, 2023. 3
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