STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL XXXX By: \_\_\_\_\_\_\_\_

As Introduced

An Act relating to insurance; creating Tim’s Law; specifying coverage requirements for mental health or substance use disorder benefits provided through the psychiatric Collaborative Care service delivery method.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

Section 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6060.12b of Title 36, unless there is created a duplication in numbering, reads as follows:

A. This section shall be known and may be cited as “Tim’s Law”.

B. Each insurer that offers, issues, or renews any individual or group health benefit plan that provides mental health or substance abuse disorder benefits shall provide reimbursement for such benefits that are delivered through the psychiatric Collaborative Care Model, which shall include the following current procedural terminology (CPT) billing codes established by the American Medical Association (AMA):

1. 99492;

2. 99493;

3. 99494; and

4. The Commissioner shall update this list of codes if there are any alterations or additions to the billing codes for the Collaborative Care Model.

C. Each insurer that offers, issues, or renews any individual or group health benefit plan that provides mental health or substance abuse disorder benefits may deny reimbursement of any CPT code listed in this section on the grounds of medical necessity, provided that such medical necessity determinations are in compliance with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and its implementing and related regulations, and that such determinations are made in accordance with the utilization review requirements found at 36-6551 through 36-6565.

D. For the purposes of this section:

1. “Health benefit plan” means any plan or arrangement as defined in subsection C of Section 6060.4 of Title 36 of the Oklahoma Statutes;

2. “Insurer” means any entity that provides an accident and health insurance policy in this state, including but not limited to a licensed insurance company, a not-for-profit hospital service and medical indemnity corporation, a fraternal benefit society, a multiple employer welfare arrangement, or any other entity subject to regulation by the Insurance Commissioner; and

3. “Mental health and substance use disorder benefits” means benefits for the treatment of any condition or disorder that involves a mental health condition or substance abuse disorder that falls under any of the diagnostic categories listed in the mental disorders section of the current edition of the International Classification of Disease or that is listed in the mental disorders section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

4. “The Psychiatric Collaborative Care Model” means the evidence-based, integrated behavioral health service delivery method described at 81 FR 80230.

Section 2. This Act shall become effective November 1, 2019.

57-1-XXXX SDR XX/XX/XX