

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2573

By Representative(s) Committee

7 **Amend by striking all after the enacting clause and inserting**
8 **in lieu thereof the following:**

9

10 SECTION 1. The following section shall be codified in
11 Chapter 9 of Title 85:

12 (1) As used in this section, the term "health insurance
13 issuer" means any insurance company, hospital or medical service
14 plan or any entity defined in Section 83-41-303(N), which offers
15 group or individual health insurance coverage in the State of
16 Mississippi.

17 (2) A health insurance issuer providing health insurance
18 coverage in connection with a group or individual health plan that
19 provides medical and surgical benefits with respect to a
20 mastectomy shall provide an insured or enrollee who is receiving
21 benefits in connection with a mastectomy and who elects breast
22 reconstruction in connection with such mastectomy, coverage for
23 all stages of reconstruction of the breast on which the mastectomy
24 has been performed; surgery and reconstruction of the other breast
25 to produce a symmetrical appearance; and prostheses and physical
26 complications of mastectomy, including lymphedemas in a manner
27 determined in consultation with the attending physician and the
28 patient. Such coverage may be subject to annual deductibles and
29 coinsurance provisions as may be deemed appropriate and as are

30 consistent with those established for other benefits under the
31 plan or coverage. Written notice of the availability of such
32 coverage shall be delivered to the insured in the case of an
33 individual policy, and to the certificate holder in the case of a
34 group policy, upon enrollment and annually thereafter.

35 (3) A health insurance issuer providing health insurance
36 coverage in connection with a group or individual health plan
37 shall provide notice to the named insured in the case of an
38 individual policy, and to each certificate holder in the case of a
39 group policy, regarding the coverage required by this section.
40 Such notice shall be in writing and prominently positioned in any
41 literature or correspondence made available or distributed by the
42 health insurance issuer and shall be transmitted to the named
43 insured or certificate holder not later than July 1, 2000. The
44 notice prescribed by this subsection shall be filed with and
45 approved by the Commissioner of Insurance before distribution by
46 the health insurance issuer.

47 (4) A health insurance issuer offering group or individual
48 health insurance coverage in connection with a group health plan,
49 may not:

50 (a) Deny to a patient eligibility, or continued
51 eligibility, to enroll or to renew coverage under the terms of the
52 plan solely for the purpose of avoiding the requirements of the
53 section; or

54 (b) Penalize or otherwise reduce or limit the
55 reimbursement of an attending provider or provide incentives
56 (monetary or otherwise) to an attending provider to induce such
57 provider to provide care to an insured or enrollee in a manner
58 inconsistent with this section.

59 (5) Nothing in this section shall be construed to prevent a
60 health insurance issuer offering group or individual health
61 insurance coverage from negotiating the level and type of
62 reimbursement with a provider for care provided in accordance with
63 this section.

64 SECTION 2. This act shall take effect and be in force from

65and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

1 AN ACT TO REQUIRE THAT CERTAIN HEALTH INSURANCE POLICIES
2 SHALL PROVIDE RECONSTRUCTIVE SURGERY AFTER A MASTECTOMY HAS BEEN
3 PERFORMED; TO PROVIDE THAT WRITTEN NOTICE OF THE AVAILABILITY OF
4 SUCH COVERAGE SHALL BE DELIVERED TO THE POLICYHOLDER UPON
5 ENROLLMENT AND ANNUALLY THEREAFTER; AND FOR RELATED PURPOSES.