AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT CERTAIN HEALTH INSURANCE POLICIES PROVIDE COVERED BENEFITS FOR THE TREATMENT OF MENTAL ILLNESS; TO AMEND SECTION 83-9-41, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM OUTPATIENT VISITS ALLOWED EACH YEAR FOR TREATMENT OF MENTAL ILLNESS AND TO REMOVE THE LIFETIME LIMITS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 83-9-39, Mississippi Code of 1972, is amended as follows:

83-9-39. (1) All alternative delivery systems and all individual and group health insurance policies, plans or programs regulated by the State of Mississippi * * * shall provide covered benefits for the treatment of mental illness, except for policies which only provide coverage for specified diseases and other limited benefit health insurance policies and negotiated labor contracts. * * *

(2) Covered benefits for inpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to inpatient services certified as necessary by a health service provider.

(3) Covered benefits for outpatient treatment of mental illness in insurance policies and other contracts subject to Sections 83-9-37 through 83-9-43 shall be limited to outpatient services certified as necessary by a health service provider.

(4) Before an insured party may qualify to receive benefits under Sections 83-9-37 through 83-9-43, a health service provider...
shall certify that the individual is suffering from mental illness
and refer the individual for the appropriate treatment.

(5) All mental illness, treatment or services with respect
to such treatment eligible for health insurance coverage shall be
subject to professional utilization and peer review procedures.

(6) The provisions of this section shall apply only to
alternative delivery systems and individual and group health
insurance policies, plans or programs issued or renewed after July
1, 1991.

(7) The exclusion period for coverage of a preexisting
mental condition shall be the same period of time as that for
other medical illnesses covered under the same plan, program or
contract.

SECTION 2. Section 83-9-41, Mississippi Code of 1972, is
amended as follows:

83-9-41. (1) Covered benefits for services in this section
shall be limited to coverage of treatment of clinically
significant mental illness.

(2) Treatment under this section shall be covered for a
minimum of thirty (30) days per year for inpatient services, a
minimum of sixty (60) days per year for partial hospitalization,
and a minimum of fifty-two (52) outpatient visits per year.

(3) The rate of payment for inpatient services and partial
hospitalization shall be the same as provided for any other
condition. The rate of payment for outpatient visits shall be a
minimum of fifty percent (50%) of covered expenses which may be
limited to a maximum payment of Fifty Dollars ($50.00) per visit.

SECTION 3. This act shall take effect and be in force from
and after July 1, 2001.