

By: Representatives Formby, Dedeaux, Moore

To: Insurance

HOUSE BILL NO. 1317
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 83-41-211, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT CERTAIN INSURANCE POLICIES SHALL PROVIDE
3 REIMBURSEMENT FOR SERVICES RENDERED BY MARRIAGE AND FAMILY
4 THERAPISTS FOR THE TREATMENT OF MENTAL, NERVOUS OR EMOTIONAL
5 DISORDERS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 83-41-211, Mississippi Code of 1972, is
8 reenacted and amended as follows:

9 **[Until July 1, 2008, this section shall read as follows:]**

10 83-41-211. Whenever any policy of insurance or any medical
11 service plan or hospital service contract or hospital and medical
12 service contract issued in this state provides for reimbursement
13 for any diagnosis and treatment of mental, nervous or emotional
14 disorders only which are within the lawful scope of practice of a
15 duly licensed psychologist as defined in Section 73-31-3, within
16 the lawful scope of practice of a duly licensed professional
17 counselor as defined in Section 73-30-3, * * * within the lawful
18 scope of practice of a duly licensed clinical social worker as
19 defined in Section 73-53-3, or within the lawful scope of practice
20 of a duly licensed marriage and family therapist as defined in
21 Section 73-54-5, the insured or other person entitled to benefits
22 under such policy shall be entitled to reimbursement for such
23 services, whether such services are performed by a duly licensed
24 physician or by a duly licensed psychologist, by a duly licensed
25 professional counselor, by a duly licensed clinical social worker
26 or by a duly licensed marriage and family therapist,
27 notwithstanding any provision to the contrary in any statute or in
28 such policy, plan or contract. Duly licensed psychologists shall

29 be entitled to participate in such policies, plans or contracts
30 providing for the diagnosis and treatment of mental, nervous or
31 emotional disorders only as authorized by Section 73-31-3. A duly
32 licensed professional counselor shall be entitled to participate
33 in such policies, plans or contracts providing for the diagnosis
34 and treatment of mental, nervous or emotional disorders only as
35 authorized by Section 73-30-3. A duly licensed clinical social
36 worker shall be entitled to participate in such policies, plans or
37 contracts providing for the diagnosis and treatment of mental,
38 nervous or emotional disorders only as authorized by Section
39 73-53-3. A duly licensed marriage and family therapist shall be
40 entitled to participate in such policies, plans or contracts
41 providing for the diagnosis and treatment of mental, nervous or
42 emotional disorders only as authorized by Section 73-54-5 et seq.

43 The addition of marriage and family therapists as providers
44 herein is intended to only allow them to treat mental, nervous or
45 emotional disorders as treated by other providers, to the extent
46 that marriage and family therapists are qualified to treat such
47 disorders. Notwithstanding anything in this section to the
48 contrary, the scope or definition of mental, nervous or emotional
49 disorders shall remain the same and shall not be expanded by the
50 addition of marriage and family therapists as allowable providers.

51 **[From and after July 1, 2008, this section shall read as**
52 **follows:]**

53 83-41-211. Whenever any policy of insurance or any medical
54 service plan or hospital service contract or hospital and medical
55 service contract issued in this state provides for reimbursement
56 for any diagnosis and treatment of mental, nervous or emotional
57 disorders only which are within the lawful scope of practice of a
58 duly licensed psychologist as defined in Section 73-31-3, within
59 the lawful scope of practice of a duly licensed professional
60 counselor as defined in Section 73-30-3, or within the lawful
61 scope of practice of a duly licensed clinical social worker as

62 defined in Section 73-53-3, the insured or other person entitled
63 to benefits under such policy shall be entitled to reimbursement
64 for such services, whether such services are performed by a duly
65 licensed physician or by a duly licensed psychologist, by a duly
66 licensed professional counselor, by a duly licensed clinical
67 social worker, notwithstanding any provision to the contrary in
68 any statute or in such policy, plan or contract. Duly licensed
69 psychologists shall be entitled to participate in such policies,
70 plans or contracts providing for the diagnosis and treatment of
71 mental, nervous or emotional disorders only as authorized by
72 Section 73-31-3. A duly licensed professional counselor shall be
73 entitled to participate in such policies, plans or contracts
74 providing for the diagnosis and treatment of mental, nervous or
75 emotional disorders only as authorized by Section 73-30-3. A duly
76 licensed clinical social worker shall be entitled to participate
77 in such policies, plans or contracts providing for the diagnosis
78 and treatment of mental, nervous or emotional disorders only as
79 authorized by Section 73-53-3.

80 **SECTION 2.** This act shall take effect and be in force from
81 and after July 1, 2005.