

By: Representative Currie

To: Public Health and Human
Services

HOUSE BILL NO. 318

1 AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH
3 INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF
4 MISSISSIPPI SHALL NOT DENY ANY COMMUNITY MENTAL HEALTH CENTER THE
5 RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE COMMUNITY
6 MENTAL HEALTH CENTER AGREES TO PROVIDE THE MENTAL HEALTH SERVICES
7 THAT MEET THE TERMS OF REQUIREMENTS SET FORTH BY THE INSURER UNDER
8 THE POLICY OR PLAN AND AGREES TO THE TERMS OF REIMBURSEMENT SET
9 FORTH BY THE INSURER; TO PROVIDE THAT CERTIFICATION/LICENSURE OF
10 ALL MENTAL HEALTH PROVIDERS BY THE BOARD OF MENTAL HEALTH SHALL BE
11 RECOGNIZED BY THE INSURER AND SHALL NOT BE USED AS A REASON TO
12 DENY ANY MENTAL HEALTH PROVIDER THE RIGHT TO PARTICIPATE AS A
13 CONTRACT PROVIDER; AND FOR RELATED PURPOSES.

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

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

17 83-9-39. (1) (a) Except as otherwise provided herein, all
18 alternative delivery systems and all group health insurance
19 policies, plans or programs regulated by the State of Mississippi
20 shall provide covered benefits for the treatment of mental
21 illness, except for policies which only provide coverage for
22 specified diseases and other limited benefit health insurance
23 policies and negotiated labor contracts.



24 (b) Health insurance policies, plans or programs of any
25 employer of one hundred (100) or fewer eligible employees and all
26 individual health insurance policies which are regulated by the
27 State of Mississippi which do not currently offer benefits for
28 treatment of mental illness shall offer covered benefits for the
29 treatment of mental illness, which must include the treatment of
30 mental illness by community mental health centers credentialed by
31 the State of Mississippi, except for policies which only provide
32 coverage for specified diseases and other limited benefit health
33 insurance policies and negotiated labor contracts.

34 (c) Alternative delivery systems and group health
35 insurance policies, plans or programs regulated by the State of
36 Mississippi shall not deny any community mental health center the
37 right to participate as a contract provider if the community
38 mental health center agrees to provide the mental health services
39 that meet the terms of requirements set forth by the insurer under
40 the policy or plan and agrees to the terms of reimbursement set
41 forth by the insurer. Certification/licensure of all mental
42 health providers by the Board of Mental Health in accordance with
43 Section 41-4-7(r) shall be recognized by the insurer and shall not
44 be used as a reason to deny any mental health provider the right
45 to participate as a contract provider.

46 (2) Covered benefits for inpatient treatment of mental
47 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. This act shall take effect and be in force from and after July 1, 2021.

