

By: Representative Currie

To: Public Health and Human Services

HOUSE BILL NO. 460

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



48 Sections 83-9-37 through 83-9-43 shall be limited to inpatient
49 services certified as necessary by a health service provider.

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

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

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

61 (6) The provisions of this section shall apply only to
62 alternative delivery systems and individual and group health
63 insurance policies, plans or programs issued or renewed after July
64 1, 1991.

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

69 **SECTION 2.** This act shall take effect and be in force from
70 and after July 1, 2022.

