

By: Senator(s) Boyd, Simmons (12th)

To: Public Health and Welfare

SENATE BILL NO. 2899
(As Sent to Governor)

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 operated by a
31 regional commission established under Section 41-19-33 or by a
32 public or private entity under contract with a regional commission
33 to operate the center, except for policies which only provide
34 coverage for specified diseases and other limited benefit health
35 insurance policies and negotiated labor contracts.

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



48 deny any mental health provider the right to participate as a
49 contract provider.

50 (2) Covered benefits for inpatient 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 inpatient
53 services certified as necessary by a health service provider.

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

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

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

65 (6) The provisions of this section shall apply only to
66 alternative delivery systems and individual and group health
67 insurance policies, plans or programs issued or renewed after July
68 1, 1991.

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



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

