

By: Senator(s) Bryan, Hill

To: Public Health and Welfare

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2575

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 THE STATE DEPARTMENT OF HEALTH THE  
5 RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE DEPARTMENT  
6 AGREES TO PROVIDE THE MENTAL HEALTH SERVICES THAT MEET THE TERMS  
7 OF REQUIREMENTS SET FORTH BY THE INSURER UNDER THE POLICY OR PLAN  
8 AND AGREES TO THE TERMS OF REIMBURSEMENT SET FORTH BY THE INSURER;  
9 AND FOR RELATED PURPOSES.

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

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

13 83-9-39. (1) (a) Except as otherwise provided herein, all  
14 alternative delivery systems and all group health insurance  
15 policies, plans or programs regulated by the State of Mississippi  
16 shall provide covered benefits for the treatment of mental  
17 illness, except for policies which only provide coverage for  
18 specified diseases and other limited benefit health insurance  
19 policies and negotiated labor contracts.

20 (b) Health insurance policies, plans or programs of any  
21 employer of one hundred (100) or fewer eligible employees and all



22 individual health insurance policies which are regulated by the  
23 State of Mississippi which do not currently offer benefits for  
24 treatment of mental illness shall offer covered benefits for the  
25 treatment of mental illness, which must include the treatment of  
26 mental illness by (i) community mental health centers operated by  
27 a regional commission established under Section 41-19-33 or by  
28 (ii) a public or private entity under contract with a regional  
29 commission to operate the center, or (iii) the Mississippi State  
30 Department of Health, except for policies which only provide  
31 coverage for specified diseases and other limited benefit health  
32 insurance policies and negotiated labor contracts.

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



46 reason to deny any mental health provider the right to participate  
47 as a contract provider.

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

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

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

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

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

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



71           **SECTION 2.** This act shall take effect and be in force from  
72 and after July 1, 2023, and shall stand repealed on June 30, 2023.

