

## Senate Amendments to House Bill No. 1317

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

12           **SECTION 1.** Section 83-41-211, Mississippi Code of 1972, is  
13 reenacted and amended as follows:  
14           83-41-211. Whenever any policy of insurance or any medical  
15 service plan or hospital service contract or hospital and medical  
16 service contract issued in this state provides for reimbursement  
17 for any diagnosis and treatment of mental, nervous or emotional  
18 disorders only which are within the lawful scope of practice of a  
19 duly licensed psychologist as defined in Section 73-31-3, within  
20 the lawful scope of practice of a duly licensed professional  
21 counselor as defined in Section 73-30-3, \* \* \* within the lawful  
22 scope of practice of a duly licensed clinical social worker as  
23 defined in Section 73-53-3, or within the lawful scope of practice  
24 of a duly licensed marriage and family therapist as defined in  
25 Section 73-54-5, the insured or other person entitled to benefits  
26 under such policy shall be entitled to reimbursement for such  
27 services, whether such services are performed by a duly licensed  
28 physician or by a duly licensed psychologist, by a duly licensed  
29 professional counselor, by a duly licensed clinical social worker  
30 or by a duly licensed marriage and family therapist,  
31 notwithstanding any provision to the contrary in any statute or in  
32 such policy, plan or contract. Duly licensed psychologists shall  
33 be entitled to participate in such policies, plans or contracts  
34 providing for the diagnosis and treatment of mental, nervous or  
35 emotional disorders only as authorized by Section 73-31-3. A duly  
36 licensed professional counselor shall be entitled to participate  
37 in such policies, plans or contracts providing for the diagnosis

38 and treatment of mental, nervous or emotional disorders only as  
39 authorized by Section 73-30-3. A duly licensed clinical social  
40 worker shall be entitled to participate in such policies, plans or  
41 contracts providing for the diagnosis and treatment of mental,  
42 nervous or emotional disorders only as authorized by Section  
43 73-53-3. A duly licensed marriage and family therapist shall be  
44 entitled to participate in such policies, plans or contracts  
45 providing for the diagnosis and treatment of mental, nervous or  
46 emotional disorders only as authorized by Section 73-54-5 et seq.

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

55 **SECTION 2.** The following shall be codified within Chapter  
56 15, Title 25, Mississippi Code of 1972:

57 25-15-\_\_\_. Whenever the plan provides for reimbursement for  
58 any diagnosis and treatment of mental, nervous or emotional  
59 disorders only which are within the lawful scope of practice of a  
60 duly licensed psychologist as defined in Section 73-31-3, within  
61 the lawful scope of practice of a duly licensed professional  
62 counselor as defined in Section 73-30-3, within the lawful scope  
63 of practice of a duly licensed clinical social worker as defined  
64 in Section 73-53-3, or within the lawful scope of practice of a  
65 duly licensed marriage and family therapist as defined in Section  
66 73-54-5, the insured or other person entitled to benefits under  
67 the plan shall be entitled to reimbursement for such services,  
68 whether such services are performed by a duly licensed physician,  
69 by a duly licensed psychologist, by a duly licensed professional  
70 counselor, by a duly licensed clinical social worker or by a duly  
71 licensed marriage and family therapist, notwithstanding any  
72 provision to the contrary in any statute or in the plan. A duly

73 licensed psychologist shall be entitled to participate in such  
74 plan providing for the diagnosis and treatment of mental, nervous  
75 or emotional disorders only as authorized by Section 73-31-3. A  
76 duly licensed professional counselor shall be entitled to  
77 participate in such plan providing for the diagnosis and treatment  
78 of mental, nervous or emotional disorders only as authorized by  
79 Section 73-30-3. A duly licensed clinical social worker shall be  
80 entitled to participate in such plan providing for the diagnosis  
81 and treatment of mental, nervous or emotional disorders only as  
82 authorized by Section 73-53-3. A duly licensed marriage and  
83 family therapist shall be entitled to participate in such plan  
84 providing for the diagnosis and treatment of mental, nervous or  
85 emotional disorders only as authorized by Section 73-54-5 et seq.

86 The addition of marriage and family therapists as providers  
87 herein is intended to only allow them to treat mental, nervous or  
88 emotional disorders as treated by other providers, to the extent  
89 that marriage and family therapists are qualified to treat such  
90 disorders. Notwithstanding anything in this section to the  
91 contrary, the scope or definition of mental, nervous or emotional  
92 disorders shall remain the same and shall not be expanded by the  
93 addition of marriage and family therapists as allowable providers.

94 **SECTION 3.** This act shall take effect and be in force from  
95 and after July 1, 2005.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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; TO CREATE A NEW SECTION TO BE CODIFIED WITHIN CHAPTER  
6 15, TITLE 25, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE AND  
7 SCHOOL EMPLOYEES HEALTH INSURANCE PLAN TO PROVIDE REIMBURSEMENT  
8 FOR SERVICES RENDERED BY CERTAIN LICENSED PROFESSIONALS FOR THE  
9 TREATMENT OF MENTAL, NERVOUS OR EMOTIONAL DISORDERS; AND FOR  
10 RELATED PURPOSES.

SS02\HB1317A.J

John O. Gilbert  
Secretary of the Senate