

HOUSE No. 2475

By Mr. Cox of Lowell, petition of John F. Cox for legislation to improve access to mental health services under the insurance laws of the Commonwealth. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

1 *Whereas*, The need for quality outpatient mental health care
2 has reached crisis proportions in the Commonwealth; and

3 *Whereas*, The citizens of the Commonwealth are entitled to
4 quality mental health services in a cost effective manner; and

5 *Whereas*, The current mental health delivery system denies
6 consumers access to quality, cost effective mental health care of
7 their choice;

8 *Therefore*, This act resolves to remedy this need by promoting
9 greater access to cost effective outpatient mental health care.

AN ACT TO IMPROVE ACCESS TO MENTAL HEALTH SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 47B of Chapter 175 of the General Laws,
2 as most recently amended by section 1 of chapter 380 of the acts
3 of 1988, is hereby further amended by striking paragraph (c) and
4 inserting the following paragraph: —

5 (c) In the case of outpatient benefits, these shall cover, to the
6 extent of one thousand dollars over a twelve month period,
7 services furnished (1) by a comprehensive health service
8 organization, (2) by a licensed or accredited hospital (3) or subject
9 to the approval of the department of mental health services
10 furnished by a community mental health center or other mental
11 health clinic or day care center which furnishes mental health
12 services or (4) consultations or diagnostic or treatment sessions,

13 provided that such services under this clause are rendered by a
14 psychotherapist or by a psychologist or licensed independent
15 clinical social worker licensed under the provisions of chapter one
16 hundred and twelve or by a mental health counselor licensed under
17 the provisions of chapter one hundred and twelve or by a clinical
18 specialist in psychiatric and mental health nursing certified under
19 the provisions of said chapter one hundred and twelve; and
20 provided, further, that such services are within the lawful scope
21 of practice for such certified clinical specialist.

22 For purposes of clause (4) "psychotherapist" shall mean a
23 person fully licensed to practice medicine under the provisions of
24 chapter one hundred and twelve, who devotes a substantial
25 portion of his time to the practice of psychiatry.

1 SECTION 2. Section 8A of Chapter 176A of the General
2 Laws, as most recently amended by section 47 of chapter 465 of
3 the acts of 1987 is hereby further amended by striking paragraph
4 (c) and by inserting the following paragraph: —

5 (c) In the case of out patient benefits, these shall cover, to the
6 extent of one thousand dollars over a twelve month period,
7 services furnished (1) by a comprehensive health service
8 organization, (2) by a licensed or accredited hospital (3) or subject
9 to the approval of the department of mental health services
10 furnished by a community mental health center or other mental
11 health clinic or day care center which furnishes mental health
12 services or (4) consultations or diagnostic or treatment sessions,
13 provided that such services under this clause are rendered by a
14 psychotherapist or a psychologist or licensed independent clinical
15 social worker licensed under the provisions of chapter one
16 hundred and twelve or by a mental health counselor licensed under
17 the provisions of chapter one hundred and twelve or by a clinical
18 specialist in psychiatric and mental health nursing certified under
19 the provision of said chapter one hundred and twelve; and
20 provided, further, that such services are within the lawful scope
21 of practice for such certified clinical specialist. For purposes of
22 this clause "psychotherapist" shall mean a person fully licensed
23 to practice medicine under the provisions of chapter one hundred
24 and twelve, who devotes a substantial portion of his time to the
25 practice of psychiatry.

1 SECTION 3. Section 4A of Chapter 176B of the General Laws,
2 as appearing in the 1986 Official Edition of the General Laws is
3 amended by striking paragraph (c) and by inserting the following
4 paragraph: —

5 (c) In the case of out patient benefits, these shall cover, to the
6 extent of one thousand dollars over a twelve month period,
7 services furnished (1) by a comprehensive health services
8 organization, (2) by a licensed or accredited hospital (3) or subject
9 to the approval of the department of mental health services
10 furnished by a community mental health center or other mental
11 health clinic or day care center which furnishes mental health
12 services or (4) consultations or diagnostic or treatment sessions,
13 provided that such services under this clause are rendered by a
14 psychotherapist, a psychologist, a licensed independent clinical
15 social worker, a mental health counselor, or a clinical specialist
16 in psychiatric and mental health nursing when such services are
17 within the lawful scope of practice of such certified clinical spe-
18 cialist; provided, however, that each provider rendering services
19 under this clause agrees in writing with a medical services cor-
20 poration pursuant to sections four, seven and thirteen to render
21 mental health services for subscribers and covered dependents and
22 to abide by the by-laws, rules and regulations of such corporation
23 and provided further that each provider is licensed under the
24 provisions of chapter one hundred and twelve. For the purposes
25 of this clause, “psychotherapist” shall mean a person fully licensed
26 to practice medicine under the provisions of said chapter one
27 hundred and twelve, who devotes a substantial portion of his time
28 to the practice of psychiatry.

