

By Mr. Fitzgerald of Boston, petition of Kevin W. Fitzgerald and other members of the House relative to health insurance coverage for mentally ill persons. Insurance.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO CERTAIN HEALTH CARE BENEFITS.

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. Chapter 175, Section 47B of the General Laws,
2 as appearing in the 1994 Official Edition, is hereby amended by
3 striking out in subsection (c), line 42, the words "to the extent of
4 five hundred dollars" and inserting in place thereof the words
5 "twenty visits".

1 SECTION 2. Chapter 175, Section 47B of the General Laws,
2 as appearing in the 1994 Official Edition is further amended by
3 inserting at the end of subsection (c), the following two new
4 sentences:— For the purposes of this subsection, psychopharma-
5 cologic services shall be treated as a medical benefit and shall not
6 count against the twenty visits for clinically appropriate services.
7 Psychopharmacologic services shall be covered in a manner iden-
8 tical to all other medical services.

1 SECTION 3. Chapter 175, Section 47B of the General Laws,
2 as appearing in the 1994 Official Edition, is further amended by
3 inserting after subsection (c) the following two new subsections:—
4 (d) For the purposes of this the policy holder shall have access
5 to a flexible continuum of care for mental health services in the
6 least restrictive clinically appropriate setting, including but not
7 limited to in-home therapeutic services, crisis shelter/respite, spe-
8 cializing, emergency, outpatient psychotherapy services, outpa-
9 tient counseling, psychopharmacological services, day treatment,

10 partial hospitalization, acute residential and inpatient. Upon clin-
11 ical review, benefits may be extended during the calendar year
12 which deemed clinically appropriate.

13 (e) Notwithstanding the provisions of subsections (a) and (c) of
14 this Act, the policy holder shall be provided benefits for diagnosis
15 and treatment of children with a serious emotional disturbance
16 and adults with a serious mental illness under the same terms and
17 conditions which is no less extensive than coverage provided for
18 any other type of health care for physical illness. For the purposes
19 of this section, children with a serious emotional disturbance shall
20 be defined as those persons from birth up to age nineteen who cur-
21 rently or at any time during the past year have had a diagnosable
22 mental, behavioral, or emotional disorder of sufficient duration to
23 meet diagnostic criteria specified within the most recent edition of
24 the Diagnostic and Statistical Manual of Mental Disorders pub-
25 lished by the American Psychiatric association that resulted in
26 functional impairment which substantially interferes or limits the
27 child's role or functioning in family, school or community activi-
28 ties. Adults with serious mental illness shall be defined as those
29 persons age nineteen and over who currently or at any time during
30 the past year have had a diagnosable mental, behavioral, or emo-
31 tional disorder of sufficient duration to meet diagnostic criteria
32 specified within Diagnostic Statistical Manual of Mental
33 Disorders published by the American Psychiatric Association that
34 has resulted in functional impairment which substantially inter-
35 feres with or limits one or more major life activity.