

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 444

6 By: Montgomery of the Senate

7 and

8 Miller of the House

9 COMMITTEE SUBSTITUTE

10 An Act relating to mental health and substance use
11 disorder benefits; defining terms; requiring certain
12 health benefit plans and Oklahoma Medicaid Program to
13 provide reimbursement for certain care pursuant to
14 certain models; allowing for denial of reimbursement
15 under certain circumstances; providing for necessity
16 determination; providing for codification; and
17 providing an effective date.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 6060.11a of Title 36, unless
21 there is created a duplication in numbering, reads as follows:

22 A. For the purposes of this section:

23 1. "Behavioral health integration" means an approach to
24 delivering mental health care that improves the ability for primary
care providers to include mental and behavioral health screening,
treatment, and specialty care into their practice pursuant to

1 current procedural terminology billing code 99484, as established by
2 the American Medical Association;

3 2. "Health benefit plan" means a plan as defined pursuant to
4 Section 6060.4 of Title 36 of the Oklahoma Statutes;

5 3. "Mental health and substance abuse disorder benefits" means
6 benefits for the treatment of any condition or disorder that
7 involves a mental health condition or substance abuse disorder,
8 including but not limited to those that fall under any of the
9 diagnostic categories listed in the mental disorders section of the
10 most recent edition of the International Classification of Diseases
11 or in the mental disorders section of the most recent version of the
12 Diagnostic and Statistical Manual of Mental Disorders;

13 4. "Oklahoma Medicaid Program" means the state program
14 administered by the Oklahoma Health Care Authority pursuant to
15 Section 1002 of Title 56 of the Oklahoma Statutes; and

16 5. "Psychiatric collaborative care model" means the evidence-
17 based, integrated behavioral health service delivery method
18 described pursuant to 81 C.F.R. 80230. The model shall include, but
19 not be limited to, the following current procedural terminology
20 billing codes, as established by the American Medical Association:

- 21 a. 99492,
- 22 b. 99493, and
- 23 c. 99494.

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1 B. 1. Any health benefit plan that is offered, issued, or
2 renewed in this state and that provides mental health or substance
3 abuse disorder benefits shall provide reimbursement for such
4 benefits that are delivered through the behavioral health
5 integration and psychiatric collaborative care models.

6 2. The Oklahoma Medicaid Program shall provide reimbursement
7 for such benefits that are delivered through the behavioral health
8 integration and psychiatric collaborative care models.

9 3. Plans offered, issued, or renewed in this state that provide
10 benefits under this subsection may deny reimbursement of any current
11 procedural terminology code pursuant to paragraph 3 of subsection A
12 of this section due to medical necessity; provided, such medical
13 necessity determinations shall be in compliance with the federal
14 Paul Wellstone and Pete Domenici Mental Health Parity and Addiction
15 Equity Act of 2008, as amended, and its implementing and related
16 regulations, and in accordance with the utilization review
17 requirements pursuant to Section 6551 et seq. of Title 36 of the
18 Oklahoma Statutes and the review and denial of substance use
19 disorder treatments and services in Section 1250.5 et seq. of Title
20 36 of the Oklahoma Statutes.

21 SECTION 2. This act shall become effective November 1, 2023.

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