

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 444

By: Montgomery of the Senate

and

Miller of the House

8  
9                                   COMMITTEE SUBSTITUTE

10           An Act relating to mental health and substance abuse  
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  
25           care providers to include mental and behavioral health screening,  
26           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.

24

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 mental health and  
19 substance abuse disorder treatments and services in Section 1250.5  
20 et seq. of Title 36 of the Oklahoma Statutes.

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

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23 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC HEALTH, dated 04/11/2023 -  
24 DO PASS, As Amended.