

1 **SENATE FLOOR VERSION**

2 March 1, 2023

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 444

By: Montgomery of the Senate

and

Miller of the House

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8  
9 [ mental health and substance use disorder benefits -  
10 reimbursement - necessity determination -  
11 codification - effective date ]

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

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

17 A. For the purposes of this section:

18 1. "Behavioral health integration" means an approach to  
19 delivering mental health care that improves the ability for primary  
20 care providers to include mental and behavioral health screening,  
21 treatment, and specialty care into their practice pursuant to  
22 current procedural terminology billing code 99484, as established by  
23 the American Medical Association;

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

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

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

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

- 19           a. 99492,
- 20           b. 99493, and
- 21           c. 99494.

22           B. 1. Any health benefit plan that is offered, issued, or  
23 renewed in this state and that provides mental health or substance  
24 abuse disorder benefits shall provide reimbursement for such

1 benefits that are delivered through the behavioral health  
2 integration and psychiatric collaborative care models.

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

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
20 March 1, 2023 - DO PASS AS AMENDED BY CS

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