

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 444

By: Montgomery

AS INTRODUCED

An Act relating to mental health and substance use disorder benefits; defining terms; requiring certain health benefit plans provide reimbursement for certain care pursuant to certain model; allowing for denial of reimbursement under certain circumstances; providing for necessity determination; providing for codification; and providing an effective date.

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

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

A. For the purposes of this section:

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

2. "Mental health and substance abuse disorder benefits" means benefits for the treatment of any condition or disorder that involves a mental health condition or substance abuse disorder, including but not limited to those that fall under any of the diagnostic categories listed in the mental disorders section of the

1 most recent edition of the International Classification of Diseases
2 or in the mental disorders section of the most recent version of the
3 Diagnostic and Statistical Manual of Mental Disorders; and

4 3. "Psychiatric Collaborative Care Model" means the evidence-
5 based, integrated behavioral health service delivery method
6 described pursuant to 81 C.F.R. 80230. The model shall include, but
7 not be limited to, the following current procedural terminology
8 billing codes, as established by the American Medical Association:

- 9 a. 99492,
- 10 b. 99493, and
- 11 c. 99494.

12 The Insurance Commissioner shall keep current the list of
13 billing codes included in the Psychiatric Collaborative Care Model.

14 B. 1. Any health benefit plan that is offered, issued, or
15 renewed in this state and that provides mental health or substance
16 abuse disorder benefits shall provide reimbursement for such
17 benefits that are delivered through the Psychiatric Collaborative
18 Care Model.

19 2. Plans offered, issued, or renewed in this state that provide
20 benefits under this subsection may deny reimbursement of any current
21 procedural terminology code pursuant to paragraph 3 of subsection A
22 of this section due to medical necessity; provided, such medical
23 necessity determinations shall be in compliance with the federal
24 Paul Wellstone and Pete Domenici Mental Health Parity and Addiction

1 Equity Act of 2008 as amended and its implementing and related
2 regulations, and in accordance with the utilization review
3 requirements pursuant to Section 36-6551 et seq. of Title 36 of the
4 Oklahoma Statutes.

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

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