STATE OF NEW YORK

XXXX

2019-2020 Regular Session

IN ASSEMBLY

February XX, 2019

Introduced by \_\_\_\_\_\_\_\_\_-- Read once and referred to the Committee on Insurance.

AN ACT To amend the insurance law, in relation to requiring reimbursement for mental health and substance use disorder benefits provided through the psychiatric Collaborative Care Model service delivery method.

 Section 1. Subsection (i) of section 3216 of the insurance law, is amended by adding a new paragraph(31-b) to read as follows:

 (31-b)(A) Every policy that provides hospital, major medical, or other comprehensive coverage that provides coverage of mental health and substance use disorder benefits shall provide reimbursement for such benefits that are delivered through the psychiatric Collaborative Care Model, which shall include the following current procedural terminology (CPT) billing codes established by the American Medical Association (AMA):

 (i) 99492;

 (ii) 99493;

 (iii) 99494; and

 (iv) The superintendent shall update this list of codes if there are any alterations or additions to the billing codes for the Collaborative Care Model.

 (B) Every policy that provides hospital, major medical, or other comprehensive coverage that provides coverage of mental health and substance use disorder benefits may deny reimbursement of any CPT code listed in this section on the grounds of medical necessity, provided that such medical necessity determinations are in compliance with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and its implementing and related regulations, and that such determinations are made in accordance with the utilization review requirements found in Article 49.

 (C) For the purposes of this paragraph:

 (i) “Mental health and substance use disorder benefits” means benefits for the treatment of any condition or disorder that involves a mental health condition or substance use disorder that falls under any of the diagnostic categories listed in the mental disorders section of the current edition of the International Classification of Disease or that is listed in the mental disorders section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

 (ii) “The Psychiatric Collaborative Care Model” means the evidence-based, integrated behavioral health service delivery method described at 81 FR 80230.

 S. 2 Subsection (l) of section 3221 of the insurance law is amended by adding a new paragraph (7-c) to read as follows:

(7-c)(A) Every insurer delivering a group or school blanket policy or issuing a group or school blanket policy for delivery that provides coverage of mental health and substance use disorder benefits shall provide reimbursement for such benefits that are delivered through the psychiatric Collaborative Care Model, which shall include the following current procedural terminology (CPT) billing codes established by the American Medical Association (AMA:

 (i) 99492;

 (ii) 99493;

 (iii) 99494; and

 (iv) The superintendent shall update this list of codes if there are any alterations or additions to the billing codes for the Collaborative Care Model.

 (B) Every insurer delivering a group or school blanket policy or issuing a group or school blanket policy for delivery that provides coverage of mental health and substance use disorder benefits may deny reimbursement of any CPT code listed in this section on the grounds of medical necessity, provided that such medical necessity determinations are in compliance with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and its implementing and related regulations, and that such determinations are made in accordance with the utilization review requirements found in Article 49.

 (C) For the purposes of this paragraph:

 (i) “Mental health and substance use disorder benefits” means benefits for the treatment of any condition or disorder that involves a mental health condition or substance use disorder that falls under any of the diagnostic categories listed in the mental disorders section of the current edition of the International Classification of Disease or that is listed in the mental disorders section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

 (ii) “The Psychiatric Collaborative Care Model” means the evidence-based, integrated behavioral health service delivery method described at 81 FR 80230.

 S. 3 Section 4303 is amended by adding a new subsection (h-2) to read as follows

 (h-2)(1) Every medical expense indemnity corporation or a health service corporation or a hospital service corporation, which provides group, group remittance or school blanket coverage for mental health and substance use disorder benefits shall provide reimbursement for such benefits that are delivered through the psychiatric Collaborative Care Model, which shall include the following current procedural terminology (CPT) billing codes established by the American Medical Association (AMA):

(A) 99492;

 (B) 99493;

 (C) 99494; and

 (D) The superintendent shall update this list of codes if there are any alterations or additions to the billing codes for the Collaborative Care Model.

 (2) Every medical expense indemnity corporation or a health service corporation or a hospital service corporation, which provides group, group remittance or school blanket coverage for mental health and substance use disorder benefits may deny reimbursement of any CPT code listed in this section on the grounds of medical necessity, provided that such medical necessity determinations are in compliance with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and its implementing and related regulations, and that such determinations are made in accordance with the utilization review requirements found in Article 49.

 (3) For the purposes of this paragraph:

 (A) “Mental health and substance use disorder benefits” means benefits for the treatment of any condition or disorder that involves a mental health condition or substance use disorder that falls under any of the diagnostic categories listed in the mental disorders section of the current edition of the International Classification of Disease or that is listed in the mental disorders section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

 (B) “The Psychiatric Collaborative Care Model” means the evidence-based, integrated behavioral health service delivery method described at 81 FR 80230.

 S. 4 This act shall take effect on the thirtieth day after it shall have become law.