

HOUSE BILL 660

IN THE HOUSE

February 8, 1979	Introduced and referred to Committee on Business and Industry.
February 15, 1979	Committee recommend bill, do pass.
February 17, 1979	Second reading, do pass.
February 19, 1979	Considered correctly engrossed. Third reading, passed.

1 House BILL NO. 660  
 2 INTRODUCED BY Gesek Harrington Metcalf Ude  
 3 Hand Ellis Wyrick Waldron

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE AN INSURANCE  
 5 POLICY TO STATE THAT IT DOES NOT PROVIDE COVERAGE FOR MENTAL  
 6 HEALTH CARE WHEN THAT IS THE CASE; AND AMENDING SECTION  
 7 33-22-202, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Mental health care excluded.  
 11 A disability insurance policy in which the insurer does not  
 12 provide coverage for mental health care shall contain a  
 13 conspicuously located provision that reads as follows:

14 "Mental Health Care: This policy does not provide  
 15 coverage for mental health care."

16 Section 2. Section 33-22-202, MCA, is amended to read:

17 "33-22-202. Required provisions -- captions --  
 18 omissions -- substitutions -- order. (1) Except as provided  
 19 in subsection (2) below, each such policy delivered or  
 20 issued for delivery to any person in this state shall  
 21 contain the provisions specified in 33-22-204 through  
 22 33-22-215 and [section 1], in the words in which the same  
 23 appear, except that the insurer may, at its option,  
 24 substitute for one or more of such provisions corresponding  
 25 provisions of different wording approved by the commissioner

1 which are in each instance not less favorable in any respect  
 2 to the insured or the beneficiary. Each such provision shall  
 3 be preceded individually by the applicable caption shown or  
 4 at the option of the insurer, by such appropriate individual  
 5 or group captions or subcaptions as the commissioner may  
 6 approve.

7 (2) If any such provision is in whole or in part  
 8 inapplicable to or inconsistent with the coverage provided  
 9 by a particular form of policy, the insurer, with the  
 10 approval of the commissioner, shall omit from such policy  
 11 any inapplicable provision or part of a provision and shall  
 12 modify any inconsistent provision or part of a provision in  
 13 such manner as to make the provision as contained in the  
 14 policy consistent with the coverage provided by the policy.

15 (3) The provisions which are the subject of [40-4007  
 16 to 40-4030] or any corresponding provisions which are used  
 17 in lieu thereof in accordance with such sections shall be  
 18 printed in the consecutive order of the provisions in such  
 19 sections or, at the option of the insurer, any such  
 20 provision may appear as a unit in any part of the policy  
 21 with other provisions to which it may be logically related,  
 22 provided that the resulting policy shall not be in whole or  
 23 in part unintelligible, uncertain, ambiguous, abstruse, or  
 24 likely to mislead a person to whom the policy is offered,  
 25 delivered, or issued."

1           Section 3. Codification. It is intended that section 1  
2 be codified as an integral part of Title 33, chapter 22,  
3 part 2, and that the provisions of Title 33, chapter 22,  
4 part 2, apply to section 1.

-End-

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 2 INTRODUCED BY Gesek, Harvington, Mckay, Ullrich  
 3 Hand, Ellis, Wyrick, Waldron

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LC 1022/01

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