

SENATE BILL NO. 120

INTRODUCED BY REGAN, HIMSL

IN THE SENATE

JANUARY 16, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON PUBLIC HEALTH, WELFARE & SAFETY.

FEBRUARY 9, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 10, 1987 PRINTING REPORT.

FEBRUARY 12, 1987 ON MOTION, CONSIDERATION PASSED
FOR THE DAY.

FEBRUARY 13, 1987 SECOND READING, DO PASS.

FEBRUARY 14, 1987 ENGROSSING REPORT.

FEBRUARY 16, 1987 THIRD READING, PASSED.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 18, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

MARCH 5, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 7, 1987 SECOND READING, CONCURRED IN.

MARCH 9, 1987 THIRD READING, CONCURRED IN.
AYES, 91; NOES, 6.

RETURNED TO SENATE.

IN THE SENATE

MARCH 10, 1987 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

1 *Senate* BILL NO. *120*
 2 INTRODUCED BY *Ryan Stimmel*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT GROUP
 5 POLICY COVERAGE BENEFITS FOR TREATMENT OF CHEMICAL
 6 DEPENDENCY ARE PAYABLE IF A FACILITY OR COUNSELOR HAS BEEN
 7 APPROVED BY THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTION
 8 33-22-702, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

11 NEW SECTION. Section 1. Inpatient and outpatient
 12 benefits. (1) "Inpatient benefits" are benefits payable for
 13 charges made by a hospital or freestanding inpatient
 14 facility, as defined in the policy or contract, for the
 15 necessary care and treatment of mental illness, alcoholism,
 16 or drug addiction furnished to a covered person while
 17 confined as an inpatient and, with respect to major medical
 18 policies or contracts, also includes those benefits payable
 19 for charges made by a physician, as defined in the policy or
 20 contract, for the necessary care and treatment of mental
 21 illness, alcoholism, or drug addiction furnished to a
 22 covered person while confined as a hospital inpatient. Care
 23 and treatment of alcoholism or drug addiction in a
 24 freestanding inpatient facility must be in a chemical
 25 dependency treatment center that is approved by the

1 department of institutions under 53-24-208.

2 (2) "Outpatient benefits" are benefits payable for:

3 (a) reasonable charges made by a hospital for the
 4 necessary care and treatment of mental illness, alcoholism,
 5 or drug addiction furnished to a covered person while not
 6 confined as an inpatient;

7 (b) reasonable charges for services rendered or
 8 prescribed by a physician for the necessary care and
 9 treatment for mental illness, alcoholism, or drug addiction
 10 furnished to a covered person while not confined as an
 11 inpatient;

12 (c) reasonable charges made by a mental health or
 13 chemical dependency treatment center for the necessary care
 14 and treatment of a covered person provided in the treatment
 15 center. The chemical dependency treatment center must be
 16 approved by the department of institutions under 53-24-208.

17 (d) reasonable charges for services rendered by a
 18 licensed psychiatrist, psychologist, social worker, or
 19 chemical dependency counselor certified by the department of
 20 institutions under 53-24-204.

21 Section 2. Section 33-22-702, MCA, is amended to read:
 22 "33-22-702. Definitions. For purposes of this part,
 23 the following definitions apply:

24 (1) "Inpatient hospital benefits" means---benefits
 25 payable--for--charges--made--by--a--hospital--or--freestanding

1 inpatient facility, as defined in the policy or contract,
 2 for the necessary care and treatment of mental illness,
 3 alcoholism, or drug addiction furnished to a covered person
 4 while confined as an inpatient and, with respect to major
 5 medical policies or contracts, also includes those benefits
 6 payable for charges made by a physician, as defined in the
 7 policy or contract, for the necessary care and treatment of
 8 mental illness, alcoholism, or drug addiction furnished to a
 9 covered person while confined as a hospital inpatient; are
 10 as set forth in [section 1].

11 (2) "Outpatient benefits" means benefits payable for:

12 (a) reasonable charges made by a hospital for the
 13 necessary care and treatment of mental illness, alcoholism,
 14 or drug addiction furnished to a covered person while not
 15 confined as a hospital inpatient;

16 (b) reasonable charges for services rendered or
 17 prescribed by a physician for the necessary care and
 18 treatment for mental illness, alcoholism, or drug addiction
 19 furnished to a covered person while not confined as a
 20 hospital inpatient;

21 (c) reasonable charges made by a mental health,
 22 alcoholism, or drug addiction treatment center for the
 23 necessary care and treatment of a covered person provided in
 24 the treatment center; and

25 (d) reasonable charges for services rendered by a

1 licensed psychiatrist, psychologist, or social worker; are
 2 as set forth in [section 1].

3 (3) "Alcoholism treatment center" and "drug addiction
 4 Chemical dependency treatment center" mean means a
 5 treatment facility which:

6 (a) provides a program for the treatment of alcoholism
 7 or drug addiction pursuant to a written treatment plan
 8 approved and monitored by a physician or chemical dependency
 9 counselor certified by the state; and which facility is
 10 also:

11 (a) affiliated with a hospital under a contractual
 12 agreement with an established system for patient referral;
 13 or

14 (b) is licensed or approved as an alcoholism or drug
 15 addiction a treatment center by the alcohol authority of the
 16 state department of institutions under 53-24-208.

17 (4) "Mental health treatment center" means a treatment
 18 facility organized to provide care and treatment for mental
 19 illness through multiple modalities or techniques pursuant
 20 to a written treatment plan approved and monitored by an
 21 interdisciplinary team, including a licensed physician,
 22 psychiatric social worker, and psychologist, and which
 23 facility is also:

24 (a) licensed as a mental health treatment center by
 25 the state;

1 (b) funded or eligible for funding under federal or
2 state law; or

3 (c) affiliated with a hospital under a contractual
4 agreement with an established system for patient referral.

5 (5) "Mental illness" means neurosis, psychoneurosis,
6 psychopathy, psychosis, or personality disorder."

7 NEW SECTION. Section 3. Extension of authority. Any
8 existing authority of the commissioner of insurance to make
9 rules on the subject of the provisions of this act is
10 extended to the provisions of this act.

11 NEW SECTION. Section 4. Codification instruction.
12 Section 1 is intended to be codified as an integral part of
13 Title 33, chapter 22, part 7, and the provisions of Title
14 33, chapter 22, part 7, apply to section 1.

15 NEW SECTION. Section 5. Applicability. This act
16 applies to policies issued and contracts made after the
17 effective date of this act.

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
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7 APPROVED BY THE DEPARTMENT OF INSTITUTIONS; AMENDING SECTION
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14 facility, ~~as defined in the policy or contract,~~ for the
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16 or drug addiction furnished to a covered person while
17 confined as an inpatient and, with respect to major medical
18 policies or contracts, also includes those benefits payable
19 for charges made by a physician, ~~as defined in the policy or~~
20 ~~contract,~~ for the necessary care and treatment of mental
21 illness, alcoholism, or drug addiction furnished to a
22 covered person while confined as a ~~hospital~~ AN inpatient.
23 Care and treatment of alcoholism or drug addiction in a
24 freestanding inpatient facility must be in a chemical
25 dependency treatment center that is approved by the

1 department of institutions under 53-24-208.

2 (2) "Outpatient benefits" are benefits payable for:

3 (a) reasonable charges made by a hospital for the
4 necessary care and treatment of mental illness, alcoholism,
5 or drug addiction furnished to a covered person while not
6 confined as an inpatient;

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8 prescribed by a physician for the necessary care and
9 treatment for mental illness, alcoholism, or drug addiction
10 furnished to a covered person while not confined as an
11 inpatient;

12 (c) reasonable charges made by a mental health or
13 chemical dependency treatment center for the necessary care
14 and treatment of a covered person provided in the treatment
15 center. The chemical dependency treatment center must be
16 approved by the department of institutions under 53-24-208.

17 (d) reasonable charges for services rendered by a
18 licensed psychiatrist, psychologist, social worker, or
19 chemical dependency counselor certified by the department of
20 institutions under 53-24-204.

21 Section 2. Section 33-22-702, MCA, is amended to read:

22 "33-22-702. Definitions. For purposes of this part,
23 the following definitions apply:

24 (1) "Inpatient ~~hospital~~ benefits" means ~~benefits~~
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21 (c) reasonable charges made by a mental health,
 22 alcoholism, or drug addiction treatment center for the
 23 necessary care and treatment of a covered person provided in
 24 the treatment center; and

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1 licensed psychiatrist, psychologist, or social worker; are
 2 as set forth in [section 1].

3 (3) "Alcoholism treatment center" and "drug addiction
 4 "Chemical dependency treatment center" mean means a
 5 treatment facility which;

6 (a) provides a program for the treatment of alcoholism
 7 or drug addiction pursuant to a written treatment plan
 8 approved and monitored by a physician or chemical dependency
 9 counselor certified by the state; and which facility is
 10 also:

11 (a) affiliated with a hospital under a contractual
 12 agreement with an established system for patient referral;
 13 or

14 (b) is licensed or approved as an alcoholism or drug
 15 addiction a treatment center by the alcohol authority of the
 16 state department of institutions under 53-24-208.

17 (4) "Mental health treatment center" means a treatment
 18 facility organized to provide care and treatment for mental
 19 illness through multiple modalities or techniques pursuant
 20 to a written treatment plan approved and monitored by an
 21 interdisciplinary team, including a licensed physician,
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 25 the state;

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2 state law; or

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4 agreement with an established system for patient referral.

5 (5) "Mental illness" means neurosis, psychoneurosis,
6 psychoanalysis, psychosis, or personality disorder."

7 NEW SECTION. Section 3. Extension of authority. Any
8 existing authority of the commissioner of insurance to make
9 rules on the subject of the provisions of this act is
10 extended to the provisions of this act.

11 NEW SECTION. Section 4. Codification instruction.
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15 NEW SECTION. Section 5. Applicability. This act
16 applies to policies issued and contracts made after the
17 effective date of this act.

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(2) "Outpatient benefits" means benefits payable for:

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(c) reasonable charges made by a mental health, alcoholism, or drug addiction treatment center for the necessary care and treatment of a covered person provided in the treatment center; and

(d) reasonable charges for services rendered by a

licensed psychiatrist, psychologist, or social worker, are as set forth in [section 1].

(3) "Alcoholism treatment center" and "drug addiction Chemical dependency treatment center" mean means a treatment facility which:

(a) provides a program for the treatment of alcoholism or drug addiction pursuant to a written treatment plan approved and monitored by a physician or chemical dependency counselor certified by the state; and which facility is also:

(a) affiliated with a hospital under a contractual agreement with an established system for patient referral; or

(b) is licensed or approved as an alcoholism or drug addiction a treatment center by the alcohol authority of the state department of institutions under 53-24-208.

(4) "Mental health treatment center" means a treatment facility organized to provide care and treatment for mental illness through multiple modalities or techniques pursuant to a written treatment plan approved and monitored by an interdisciplinary team, including a licensed physician, psychiatric social worker, and psychologist, and which facility is also:

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