

**Representative Brian R. Allen** proposes to substitute the following bill:

**MENTAL HEALTH INSURANCE PARITY**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Brian R. Allen**

AN ACT RELATING TO INSURANCE; REQUIRING THE COMMISSIONER TO ISSUE RULES REGARDING MENTAL HEALTH INSURANCE; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**31A-22-623**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **31A-22-623** is enacted to read:

**31A-22-623. Mental health coverage.**

(1) The commissioner shall establish, by rule, minimum standards of coverage for mental health benefits for disability insurance policies that provide a health insurance benefit.

(2) Except as provided in Subsection (3), the commissioner in making rules under Subsection (1), shall require rules with durational limits, amount limits, deductibles, and coinsurance factors for serious mental illness equitable or identical to coverage provided for other illnesses or diseases.

(3) The commissioner may not make a rule that restricts an insurer from providing the mental health benefits required by this section in a managed care system, regardless of whether the underlining disability policy provides health benefits in a managed care system, on a traditional indemnity basis, or by some combination of the two.

(4) (a) For purposes of Subsection (2), "serious mental illness" means a mental disorder that:

- 1            (i) medical science affirms is a biological disorder of the brain; and
- 2            (ii) substantially limits the life activities of the person with the illness.
- 3            (b) Serious mental illness includes:
- 4            (i) schizophrenia;
- 5            (ii) schizo affective disorder;
- 6            (iii) delusional disorder;
- 7            (iv) bipolar affective disorders;
- 8            (v) major depression;
- 9            (vi) obsessive compulsive disorder; or
- 10           (vii) anxiety, panic disorders.
- 11           **Section 2. Effective date.**
- 12           This act takes effect on January 1, 1999.