

**MENTAL HEALTH SERVICES IN SCHOOLS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Susan Pulsipher

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to coverage of certain mental health services by the Medicaid program and certain health insurers.

**Highlighted Provisions:**

This bill:

- ▶ requires the Department of Health to develop a proposal and submit a state plan amendment to allow the state Medicaid program to be billed for certain mental health services provided in a public school; and

- ▶ prohibits certain health benefit plans offered on or after January 1, 2020, from denying a claim for mental health services solely because they are provided by a public school employee or in a public school.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**26-18-419**, Utah Code Annotated 1953

**31A-22-650**, Utah Code Annotated 1953

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

29 Section 1. Section **26-18-419** is enacted to read:

30 **26-18-419. Medicaid waiver for coverage of mental health services in schools.**

31 (1) As used in this section, "local education agency" means:

32 (a) a school district;

33 (b) a charter school; or

34 (c) the Utah Schools for the Deaf and the Blind.

35 (2) In consultation with the Department of Human Services and the State Board of  
36 Education, the department shall develop a proposal to allow the state Medicaid program to  
37 reimburse a local education agency, a local mental health authority, or a private provider for  
38 covered mental health services provided:

39 (a) in accordance with Section [53E-9-203](#); and

40 (b) (i) at a local education agency building or facility; or

41 (ii) by an employee or contractor of a local education agency.

42 (3) Before January 1, 2020, the department shall apply to CMS for a state plan  
43 amendment to implement the coverage described in Subsection (2).

44 Section 2. Section **31A-22-650** is enacted to read:

45 **31A-22-650. Coverage for mental health services in schools.**

46 (1) As used in this section, "local education agency" means:

47 (a) a school district;

48 (b) a charter school; or

49 (c) the Utah Schools for the Deaf and the Blind.

50 (2) A health benefit plan that is entered into or renewed on or after January 1, 2020,  
51 may not deny a claim for a covered mental health service solely because the mental health  
52 service is provided:

53 (a) at a local education agency building or facility; or

54 (b) by an employee or contractor or a local education agency.