

SB0106S01 compared with SB0106

~~text~~ shows text that was in SB0106 but was deleted in SB0106S01.

Inserted text shows text that was not in SB0106 but was inserted into SB0106S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Lincoln Fillmore proposes the following substitute bill:

MENTAL HEALTH SERVICES IN SCHOOLS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: ~~_____~~ Susan Pulsipher

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 ~~and~~ and
- ▶ prohibits a local education agency from billing for certain health care services.

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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

53G-7-217, Utah Code Annotated 1953

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

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

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

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

(a) a school district;

(b) a charter school; or

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

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

(a) in accordance with Section 53E-9-203; and

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

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

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

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

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

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

(a) a school district;

(b) a charter school; or

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

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

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

(b) by an employee or contractor ~~for~~of a local education agency.

(3) Nothing in this section:

(a) prohibits a health benefit plan from denying a claim:

(i) by an individual that is not a licensed health care provider;

(ii) by a health care provider practicing outside the health care provider's scope of practice;

(iii) that is submitted by a person that is not a network provider;

(iv) for a mental health service that is not medically necessary as determined by the health benefit plan; or

(v) that does not otherwise comply with the health benefit plan's policies; or

(b) requires a health benefit plan to pay a claim for a service that is:

(i) provided under an individualized education program as defined in Section 53E-4-301; or

(ii) administrative in nature to the local education agency.

Section 3. Section 53G-7-217 is enacted to read:

53G-7-217. Prohibition on billing for certain health care services.

A local education agency, or an employee or contractor of a local education agency, may not bill:

(1) a health benefit plan as defined in Section 31A-1-301, for any service that is:

(a) provided under an individualized education program as defined in Section 53E-4-301; or

(b) administrative in nature to the local education agency; or

(2) a student or a student's family for a service that is:

(a) performed by the local education agency or an employee or contractor of a local education agency; and

(b) not covered by the student's health benefit plan.

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