

Bulletin 335

COVERAGE OF MENTAL HEALTH PROVIDERS UNDER HEALTH INSURANCE POLICIES

Sections 2744 and 2835 of the Maine Insurance Code (Title 24-A M.R.S.A.) require health insurers to cover the services of certain mental health providers to the extent that the same services would be covered if performed by a physician. Three bills were enacted this year that amend these statutes. The amendments enacted by each of these three bills do not reflect the amendments in the other two bills. As a result, there will be three different versions of these statutes. We anticipate that next year a single version will be enacted incorporating all three changes. Meanwhile, this bulletin will provide guidance to insurers for complying with the new provisions.

The three bills that amended Sections 2744 and 2835 of Title 24-A were as follows:

- * Public Law 2005, Chapter 121 (L.D. 1499) reorganized these sections for clarity, but did not make any substantive changes.
- * Public Law 2005, Chapter 213 (L.D. 28) added licensed marriage and family therapists to the list of mental health providers whose services must be covered to the extent that the same services would be covered if performed by a physician.
- * Public Law 2005, Chapter 214 (L.D. 27) added licensed pastoral counselors to the list of mental health providers whose services must be covered to the extent that the same services would be covered if performed by a physician.

Chapters 213 and 214 apply to policies and certificates issued or renewed on or after January 1, 2006. Therefore, these policies and certificates must cover the services of both licensed marriage and family therapists and licensed pastoral counselors to the extent that the same services would be covered if performed by a physician.

Pursuant to 24-A M.R.S.A. § 4234-A(8), these requirements apply to HMOs as well as to insurance companies.

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