

ORIGINAL

S.225

1

2 Introduced by Senator Chard of Windham County

3 Referred to Committee on *Finance*

4 Date: *January 9, 2002*

5 Subject: Health insurance; mental health and substance abuse

6 Statement of purpose: This bill proposes to change the scope of health  
7 insurance companies required to issue an annual mental health coverage report  
8 card, and to protect confidential mental health records used in connection with  
9 a review by the independent panel of mental health care providers.

10 AN ACT RELATING TO MENTAL HEALTH INSURANCE  
11 COVERAGE

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 8 V.S.A. § 4089b(f) is amended to read:

14 (f) On or before July 15 of each year, ~~the five largest~~ health insurance  
15 companies doing business in Vermont, and whose individual share of the  
16 commercially-insured Vermont market, as measured by covered lives,  
17 comprises at least five percent of the commercially-insured Vermont market,  
18 shall file with the commissioner, in accordance with standards, procedures, and  
19 forms approved by the commissioner:

1           (1) A report card on the health insurance plan's performance in relation  
2 to quality measures for the care, treatment, and treatment options of mental  
3 health and substance abuse conditions covered under the plan, pursuant to  
4 standards and procedures adopted by the commissioner by rule, and without  
5 duplicating any reporting required of such companies pursuant to Rule 10 of  
6 the division of health care administration, "Quality Assurance Standards and  
7 Consumer Protections for Managed Care Plans", and regulation 95-2, "Mental  
8 Health Review Agents," of the division of insurance, as amended, including:

9           (A) the discharge rates from inpatient mental health and substance  
10 abuse care and treatment of insureds;

11           (B) the average length of stay and number of treatment sessions for  
12 insureds receiving inpatient and outpatient mental health and substance abuse  
13 care and treatment;

14           (C) the percentage of insureds receiving inpatient and outpatient  
15 mental health and substance abuse care and treatment;

16           (D) the number of insureds denied mental health and substance abuse  
17 care and treatment;

18           (E) the number of denials appealed by patients reported separately  
19 from the number of denials appealed by providers;

20           (F) the rates of readmission to inpatient mental health and substance  
21 abuse care and treatment for insureds with a mental health condition;

1 (G) the level of patient satisfaction with the quality of the mental  
2 health and substance abuse care and treatment provided to insureds under the  
3 health insurance plan; and

4 (H) any other quality measure established by the commissioner.

5 (2) The health insurance plan's revenue loss and expense ratio relating  
6 to the care and treatment of mental health conditions covered under the health  
7 insurance plan. The expense ratio report shall list amounts paid in claims for  
8 services and administrative costs separately.

9 Sec. 2. 8 V.S.A. § 4089a(i) is added to read:

10 (i) The confidentiality of any health care information acquired *by* or  
11 provided to the independent panel of mental health professionals shall be  
12 maintained in compliance with any applicable state or federal laws. The  
13 independent panel shall not constitute a public agency under subsection 317(a)  
14 of Title 1, or a public body under section 310 of Title 1. Records of, and  
15 internal materials prepared for, specific reviews under this section shall be  
16 exempt from public disclosure under section 316 of Title 1.

17 Sec. 3. 1 V.S.A. § 317(c)(28) is amended to read:

18 (c) The following public records are exempt from public inspection and  
19 copying:

20 \* \* \*



FINANCE  
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S.225

AN ACT RELATING TO MENTAL  
HEALTH INSURANCE COVERAGE.

SENATE CHAMBER  
1/23, 2002  
On motion of Sen. Motor Chard  
rules were suspended and committee on  
Finance relieved of further  
consideration. Pending entry on calendar  
for notice, on motion of Sen. Chard  
bill committed to Committee on Health/Welfare  
[Signature]  
Assistant Secretary

SENATE CHAMBER  
1/24, 2002  
Entered on the Calendar for Notice.  
[Signature]  
Assistant Secretary

SENATE CHAMBER  
1/23, 2002  
Reported favorably with recommendations/  
proposals of amendment. Read second time,  
recommendations/proposals of amendment  
agreed to and third reading ordered.  
[Signature]  
Assistant Secretary

SENATE CHAMBER  
1/30, 2002  
Read third time and passed.  
[Signature]  
Assistant Secretary

HOUSE OF REPRESENTATIVES  
2/1, 2002  
READ AND REFERRED TO THE  
COMMON H+W  
[Signature]  
ASST. CLERK

HOUSE OF REPRESENTATIVES  
2/19, 2002  
ENTERED ON THE CALENDAR  
FOR NOTICE  
[Signature]  
ASST. CLERK

HOUSE OF REPRESENTATIVES  
2/20, 2002  
REPORTED FAVORABLY, READ 2ND  
TIME AND 3RD READING ORDERED.  
[Signature]  
ASST. CLERK

HOUSE OF REPRESENTATIVES  
2/21, 2002  
READ THIRD TIME AND PASSED IN  
CONC. W/REP. AMENDMENT.  
[Signature]  
ASST. CLERK

SENATE CHAMBER

January 9, 2002

Introduced by Senator Chard of Windham  
County.

Read the first time and referred to  
Committee on Finance

David C. Gibson Secretary