

HOUSE BILL No. 2351

By Representative Swenson

2-2

9 AN ACT amending the Kansas mental health parity act; amending K.S.A.
10 2006 Supp. 40-2,105a and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2006 Supp. 40-2,105a is hereby amended to read
14 as follows: 40-2,105a. (a) ~~(1)~~ Any group health insurance policy, medical
15 service plan, contract, hospital service corporation contract, hospital and
16 medical service corporation contract, fraternal benefit society or health
17 maintenance organization which provides coverage for mental health ben-
18 efits and which is delivered, issued for delivery, amended or renewed on
19 or after January 1, 2002, shall include coverage for diagnosis and treat-
20 ment of mental illnesses. ~~Except as provided in paragraph (2),~~ Such cov-
21 erage shall be subject to the same deductibles, coinsurance and other
22 limitations as apply to other covered services.

23 ~~(2) The coverage required by paragraph (1) shall include annual cov-~~
24 ~~erage for both 45 days of in-patient care for mental illness and for 45~~
25 ~~visits for out-patient care for mental illness.~~

26 (b) Notwithstanding the provisions of K.S.A. 40-2249a, and amend-
27 ments thereto, the state insurance department shall deliver to the presi-
28 dent of the senate and to the speaker of the house of representatives on
29 or before January 1, 2003, a report indicating the impact of providing
30 mental illness benefits required by this act. Such report shall include
31 information regarding access to and usage of such services and the cost
32 of such services.

33 (c) For the purposes of this section, "mental illness" means the fol-
34 lowing: Schizophrenia, schizoaffective disorder, schizophreniform disorder,
35 brief reactive psychosis, paranoid or delusional disorder, atypical psy-
36 chosis, major affective disorders (bipolar and major depression),
37 cyclothymic and dysthymic disorders, obsessive compulsive disorder,
38 panic disorder, pervasive developmental disorder, including autism, at-
39 tention deficit disorder and attention deficit hyperactive disorder as such
40 terms are defined in the diagnostic and statistical manual of mental dis-
41 orders, fourth edition, (DSM-IV, 1994) of the American psychiatric as-
42 sociation but shall not include conditions not attributable to a mental
43 disorder that are a focus of attention or treatment.

- 1 (d) The provisions of this section shall be applicable to health main-
2 tenance organizations organized under article 32 of chapter 40 of the
3 Kansas Statutes Annotated.
- 4 (e) The provisions of this section shall not apply to any medicare
5 supplement policy of insurance, as defined by the commissioner of in-
6 surance by rule and regulation.
- 7 (f) The provisions of this section shall be applicable to the Kansas
8 state employees health care benefits program and municipal funded
9 pools.
- 10 (g) The provisions of this section shall not apply to any policy or cer-
11 tificate which provides coverage for any specified disease, specified ac-
12 cident or accident only coverage, credit, dental, disability income, hospital
13 indemnity, long-term care insurance as defined by K.S.A. 40-2227 and
14 amendments thereto, vision care or any other limited supplemental ben-
15 efit nor to any medicare supplement policy of insurance as defined by
16 the commissioner of insurance by rule and regulation, any coverage issued
17 as a supplement to liability insurance, workers compensation or similar
18 insurance, automobile medical-payment insurance or any insurance un-
19 der which benefits are payable with or without regard to fault, whether
20 written on a group, blanket or individual basis.
- 21 (h) From and after January 1, 2002, the provisions of K.S.A. 40-2,105,
22 and amendments thereto, shall not apply to mental illnesses as defined
23 in this act.
- 24 (i) There shall be no coverage under this section for evaluations and
25 diagnostic tests ordered or requested in connection with criminal actions,
26 divorce, child custody or child visitation proceedings.
- 27 Sec. 2. K.S.A. 2006 Supp. 40-2,105a is hereby repealed.
- 28 Sec. 3. This act shall take effect and be in force from and after its
29 publication in the statute book.