



General Assembly

Substitute Bill No. 6643

January Session, 2023



AN ACT CONCERNING MEDICAID REIMBURSEMENT FOR MENTAL HEALTH AND SUICIDE RISK ASSESSMENTS CONDUCTED AT SCHOOL-BASED HEALTH CENTERS AND INSURANCE COVERAGE FOR THE PROVISION OF MENTAL HEALTH WELLNESS EXAMINATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2023*) (a) The Commissioner of
2 Social Services shall provide Medicaid reimbursement, to the extent
3 permissible under federal law, for suicide risk assessments and other
4 mental health evaluations and services provided at a school-based
5 health center or at a public school.

6 (b) The Commissioner of Social Services shall amend the Medicaid
7 state plan if necessary to provide reimbursement for the suicide risk
8 assessments and mental health evaluations and services described in
9 subsection (a) of this section and shall set reimbursement at a level
10 adequate to ensure an adequate pool of providers for such suicide risk
11 assessments and mental health evaluations and services.

12 Sec. 2. Section 38a-488e of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective from passage*):

14 (a) For the purposes of this section:

15 (1) "Licensed mental health professional" means: (A) A licensed

16 professional counselor or professional counselor, both as defined in
17 section 20-195aa; (B) a person who is under professional supervision,
18 as defined in section 20-195aa; (C) a physician licensed pursuant to
19 chapter 370, who is certified in psychiatry by the American Board of
20 Psychiatry and Neurology; (D) an advanced practice registered nurse
21 licensed pursuant to chapter 378, who is certified as a psychiatric and
22 mental health clinical nurse specialist or nurse practitioner by the
23 American Nurses Credentialing Center; (E) a psychologist licensed
24 pursuant to chapter 383; (F) a marital and family therapist licensed
25 pursuant to chapter 383a; (G) a licensed clinical social worker licensed
26 pursuant to chapter 383b; or (H) an alcohol and drug counselor
27 licensed under chapter 376b; and

28 (2) "Mental health wellness examination" means a screening or
29 assessment that seeks to identify any behavioral or mental health
30 needs and appropriate resources for treatment. The examination may
31 include: (A) Observation; (B) a behavioral health screening; (C)
32 education and consultation on healthy lifestyle changes; (D) referrals
33 to ongoing treatment, mental health services and other necessary
34 supports; (E) discussion of potential options for medication; (F) age-
35 appropriate screenings or observations to understand the mental
36 health history, personal history and mental or cognitive state of the
37 person being examined; and (G) if appropriate, relevant input from an
38 adult through screenings, interviews or questions. [;]

39 [(3) "Primary care provider" has the same meaning as provided in
40 section 19a-7o; and

41 (4) "Primary care" has the same meaning as provided in section 19a-
42 7o.]

43 (b) (1) Each individual health insurance policy providing coverage
44 of the type specified in subdivisions (1), (2), (4), (11) and (12) of section
45 38a-469 and delivered, issued for delivery, renewed, amended or
46 continued in this state on or after January 1, 2023, (A) shall provide
47 coverage for two mental health wellness examinations per year that

48 are performed by a licensed mental health professional, [or primary
49 care provider,] and (B) shall not require prior authorization of such
50 examinations.

51 (2) The mental health wellness examinations [:(A) May each be
52 provided by a primary care provider as part of a preventive visit; and
53 (B)] shall be covered with no patient [cost-sharing] cost sharing.

54 (c) The provisions of this section shall apply to a high deductible
55 health plan, as that term is used in subsection (f) of section 38a-493, to
56 the maximum extent permitted by federal law, except if such plan is
57 used to establish a medical savings account or an Archer MSA
58 pursuant to Section 220 of the Internal Revenue Code of 1986, as
59 amended from time to time, or any subsequent corresponding Internal
60 Revenue Code of the United States, as amended from time to time, or a
61 health savings account pursuant to Section 223 of said Internal
62 Revenue Code of 1986, as amended from time to time, the provisions
63 of this section shall apply to such plan to the maximum extent that (1)
64 is permitted by federal law, and (2) does not disqualify such account
65 for the deduction allowed under said Section 220 or 223, as applicable.

66 Sec. 3. Section 38a-514e of the general statutes is repealed and the
67 following is substituted in lieu thereof (*Effective from passage*):

68 (a) For the purposes of this section:

69 (1) "Licensed mental health professional" means: (A) A licensed
70 professional counselor or professional counselor, as defined in section
71 20-195aa; (B) a person who is under professional supervision, as
72 defined in section 20-195aa; (C) a physician licensed pursuant to
73 chapter 370, who is certified in psychiatry by the American Board of
74 Psychiatry and Neurology; (D) an advanced practice registered nurse
75 licensed pursuant to chapter 378, who is certified as a psychiatric and
76 mental health clinical nurse specialist or nurse practitioner by the
77 American Nurses Credentialing Center; (E) a psychologist licensed
78 pursuant to chapter 383; (F) a marital and family therapist licensed

79 pursuant to chapter 383a; (G) a licensed clinical social worker licensed
80 pursuant to chapter 383b; or (H) an alcohol and drug counselor
81 licensed under chapter 376b; and

82 (2) "Mental health wellness examination" means a screening or
83 assessment that seeks to identify any behavioral or mental health
84 needs and appropriate resources for treatment. The examination may
85 include: (A) Observation; (B) a behavioral health screening; (C)
86 education and consultation on healthy lifestyle changes; (D) referrals
87 to ongoing treatment, mental health services and other necessary
88 supports; (E) discussion of potential options for medication; (F) age-
89 appropriate screenings or observations to understand the mental
90 health history, personal history and mental or cognitive state of the
91 person being examined; and (G) if appropriate, relevant input from an
92 adult through screenings, interviews or questions. ;]

93 [(3) "Primary care provider" has the same meaning as provided in
94 section 19a-7o; and

95 (4) "Primary care" has the same meaning as provided in section 19a-
96 7o.]

97 (b) (1) Each group health insurance policy providing coverage of the
98 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-
99 469 and delivered, issued for delivery, renewed, amended or
100 continued in this state on or after January 1, 2023, (A) shall provide
101 coverage for two mental health wellness examinations per year that
102 are performed by a licensed mental health professional, [or primary
103 care provider,] and (B) shall not require prior authorization of such
104 examinations.

105 (2) The mental health wellness examinations [: (A) May each be
106 provided by a primary care provider as part of a preventive visit; and
107 (B)] shall be covered with no patient [cost-sharing~~]~~ cost sharing.

108 (c) The provisions of this section shall apply to a high deductible
109 health plan, as that term is used in subsection (f) of section 38a-520, to

110 the maximum extent permitted by federal law, except if such plan is
111 used to establish a medical savings account or an Archer MSA
112 pursuant to Section 220 of the Internal Revenue Code of 1986, as
113 amended from time to time, or any subsequent corresponding Internal
114 Revenue Code of the United States, as amended from time to time, or a
115 health savings account pursuant to Section 223 of said Internal
116 Revenue Code, as amended from time to time, the provisions of this
117 section shall apply to such plan to the maximum extent that (1) is
118 permitted by federal law, and (2) does not disqualify such account for
119 the deduction allowed under said Section 220 or 223, as applicable.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2023</i> | New section |
| Sec. 2 | <i>from passage</i> | 38a-488e |
| Sec. 3 | <i>from passage</i> | 38a-514e |

KID *Joint Favorable Subst.*