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Referred: Labor & Commerce, Health,
Education & Social Services and
Finance

1 IN THE HOUSE

BY DAVIS AND KOPONEN

2

HOUSE BILL NO. 313

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FOURTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act requiring certain health insurance policies
7 to cover the treatment of a mental or nervous condi-
8 tion."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 21.42 is amended by adding a new section to read:

11 Sec. 21.42.365. COVERAGE FOR TREATMENT OF A MENTAL OR NERVOUS
12 CONDITION. (a) A health insurance policy must provide the following
13 coverage for treatment of a mental or nervous condition of the insured
14 or member of the insured's immediate family:

15 (1) 60 days a year of inpatient treatment;

16 (2) 90 days a year of partial hospitalization;

17 (3) 30 visits a year of outpatient treatment;

18 (4) the option of the insured to exchange a maximum of 45
19 days of inpatient treatment for additional days of partial hospitali-
20 zation; for the purpose of computing the exchange, two days of partial
21 hospitalization equal one day of inpatient care.

22 (b) The health insurance policy may impose reasonable contract
23 limitations, but may not require that the insured pay a higher deduct-
24 ible or co-payment for a cost for treatment of a mental or nervous
25 condition than for a cost for treatment of another condition or ill-
26 ness.

27 (c) In this section

28 (1) "co-payment" means the portion of the cost to be paid
29 by the insured;

1 (2) "cost" means the lesser of the following:
2 (A) the actual charge for the treatment received for a
3 mental or nervous condition; or
4 (B) the amount normally charged for the same treatment
5 for a mental or nervous condition in the judicial district of
6 this state where the treatment was rendered;
7 (3) "health insurance policy" means a hospital or medical
8 expense policy, or nonprofit health care corporation plan, that is
9 delivered, issued for delivery, or renewed in this state on and after
10 the effective date of this section;
11 (4) "inpatient" treatment means continuous treatment of
12 more than 12 hours in a 24-hour period in a hospital that is licensed
13 under AS 18.20 or in a hospital in this state that is specifically
14 exempt under AS 18.20.020 from the licensing requirements of the
15 state;
16 (5) "member of the insured's immediate family" means the
17 spouse and minor children of the insured;
18 (6) "mental or nervous condition" means an impairment of
19 psychobiological processes that is severe enough to cause social,
20 psychological, or biological malfunctioning; "mental or nervous condi-
21 tion" includes a substantial disorder of thought, mood, perception,
22 orientation, or memory that significantly impairs judgment, behavior,
23 capacity to recognize, or ability to cope with the ordinary demands of
24 life; mental retardation, epilepsy, drug addiction, and alcoholism do
25 not constitute a mental or nervous condition although a person who
26 suffers from one or more of these conditions may also be suffering
27 from a mental or nervous condition;
28 (7) "outpatient treatment" means treatment that is not
29 inpatient treatment or partial hospitalization, and that is provided

1 under the supervision of

2 (A) a psychiatrist who is licensed as a physician in
3 this state and certified in psychiatry by the American Board of
4 Psychiatry and Neurology or a physician who is employed by the
5 federal government in this state and certified in psychiatry by
6 the American Board of Psychiatry and Neurology; or

7 (B) a psychologist or psychological associate licensed
8 under AS 08.86;

9 (8) "partial hospitalization" means continuous treatment of
10 4 to 12 hours in a 24-hour period in a hospital licensed under
11 AS 18.20 or in a hospital in this state that is specifically exempt
12 under AS 18.20.020 from the licensing requirements of the state.