

SB 59 - AS AMENDED BY THE SENATE

02/11/2021 0165s

2021 SESSION

21-0894

04/05

SENATE BILL **59**

AN ACT relative to the collaborative care model service delivery method.

SPONSORS: Sen. Sherman, Dist 24; Sen. Bradley, Dist 3; Sen. Rosenwald, Dist 13; Rep. Marsh, Carr. 8; Rep. Woods, Merr. 23

COMMITTEE: Health and Human Services

ANALYSIS

This bill requires individual and group insurers to reimburse a primary care physician for the treatment of mental health and substance use disorders provided through the psychiatric collaborative care model.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the collaborative care model service delivery method.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Accident and Health Insurance; Individual Coverage for Collaborative Care.
2 Amend RSA 415 by inserting after section 6-aa the following new section:

3 415:6-bb Individual Coverage for Collaborative Care.

4 I. In this section:

5 (a) "Mental health and substance use disorder benefits" means benefits for the
6 treatment of any condition or disorder that involves a mental health condition or substance use
7 disorder that falls under any of the diagnostic categories listed in the mental disorders section of the
8 current edition of the International Classification of Disease or that is listed in the mental disorders
9 section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

10 (b) "The Psychiatric Collaborative Care Model" means the evidence-based, integrated
11 behavioral health service delivery method described at 81 Federal Register 80230 which includes a
12 formal collaborative arrangement among a primary care team consisting of a primary care provider,
13 a care manager, and a psychiatric consultant, and includes, but is not limited to, the following
14 elements:

- 15 (1) Care directed by the primary care team.
- 16 (2) Structured care management.
- 17 (3) Regular assessments of clinical status using validated tools.
- 18 (4) Modification of treatment as appropriate.

19 II. Each insurer that issues or renews any individual policy of accident or health insurance
20 providing benefits for medical or hospital expenses, that provides coverage for mental health and
21 substance use disorders, shall provide reimbursement to a primary care physician for the treatment
22 of mental health and substance use disorders that are delivered through the psychiatric
23 collaborative care model.

24 2 New Section; Accident and Health Insurance; Group Coverage for Collaborative Care. Amend
25 RSA 415 by inserting after section 18-ee the following new section:

26 415:18-ff Group Coverage for Collaborative Care.

27 I. In this section:

28 (a) "Mental health and substance use disorder benefits" means benefits for the
29 treatment of any condition or disorder that involves a mental health condition or substance use
30 disorder that falls under any of the diagnostic categories listed in the mental disorders section of the

current edition of the International Classification of Disease or that is listed in the mental disorders section of the most recent version of the Diagnostic and Statistical Manual of Mental Disorders.

(b) “The Psychiatric Collaborative Care Model” means the evidence-based, integrated behavioral health service delivery method described at 81 Federal Register 80230 which includes a formal collaborative arrangement among a primary care team consisting of a primary care provider, a care manager, and a psychiatric consultant, and includes, but is not limited to, the following elements:

- (1) Care directed by the primary care team.
- (2) Structured care management.
- (3) Regular assessments of clinical status using validated tools.
- (4) Modification of treatment as appropriate.

II. Each insurer that issues or renews any policy of group or blanket accident or health insurance providing benefits for medical or hospital expenses, that provides coverage for mental health and substance use disorders, shall provide reimbursement to a primary care physician for the treatment of mental health and substance use disorders that are delivered through the psychiatric collaborative care model.

3 Health Service Corporations; Applicable Statutes. Amend RSA 420-A:2 to read as follows:

420-A:2 Applicable Statutes. Every health service corporation shall be governed by this chapter and the relevant provisions of RSA 161-H, and shall be exempt from this title except for the provisions of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415-A, RSA 415-F, RSA 415:6, II(4), RSA 415:6-g, RSA 415:6-k, RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-t, RSA 415:6-u, RSA 415:6-v, RSA 415:6-w, RSA 415:6-x, RSA 415:6-y, RSA 415:6-z, RSA 415:6-a1, ***RSA 415:6-bb***, RSA 415:18, V, RSA 415:18, XVI and XVII, RSA 415:18, VII-a, RSA 415:18-a, RSA 415:18-i, RSA 415:18-j, RSA 415:18-o, RSA 415:18-r, RSA 415:18-t, RSA 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-y, RSA 415:18-z, RSA 415:18-aa, RSA 415:18-bb, RSA 415:18-cc, RSA 415:18-dd, RSA 415:18-ee, ***RSA 415:18-ff***, RSA 415:22, RSA 417, RSA 417-E, RSA 420-J, and all applicable provisions of title XXXVII wherein such corporations are specifically included. Every health service corporation and its agents shall be subject to the fees prescribed for health service corporations under RSA 400-A:29, VII.

4 Health Maintenance Organizations; Statutory Construction. Amend RSA 420-B:20, III to read as follows:

III. The requirements of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415:6-g, RSA 415:6-m, RSA 415:6-o, RSA 415:6-r, RSA 415:6-t, RSA 415:6-u, RSA 415:6-v, RSA 415:6-w, RSA 415:6-x, RSA 415:6-y, RSA 415:6-z, RSA 415:6-a1, ***RSA 415:6-bb***, RSA 415:18, VII-a, RSA 415:18, XVI and XVII, RSA 415:18-i, RSA 415:18-j, RSA 415:18-r, RSA 415:18-t, RSA 415:18-u, RSA 415:18-v, RSA 415:18-w, RSA 415:18-y, RSA 415:18-z, RSA 415:18-aa, RSA 415:18-bb, RSA 415:18-cc, RSA

SB 59 - AS AMENDED BY THE SENATE

- Page 3 -

- 1 415:18-dd, RSA 415:18-ee, ***RSA 415:18-ff***, RSA 415-A, RSA 415-F, RSA 420-G, and RSA 420-J shall
- 2 apply to health maintenance organizations.
- 3 5 Effective Date. This act shall take effect July 1, 2021.

SB 59- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2021-0165s)

AN ACT relative to the collaborative care model service delivery method.

FISCAL IMPACT: ☒ State ☒ County ☒ Local ☐ None

STATE:	Estimated Increase / (Decrease)			
	FY 2021	FY 2022	FY 2023	FY 2024
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	☒ General ☐ Education ☒ Highway ☒ Other - NH Insurance Department Assessment, Premium Tax Revenue, Various Government Funds			

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

LOCAL:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires individual and group insurers to reimburse a primary care physician for the treatment of mental health and substance use disorders provided through the psychiatric collaborative care model.

The Insurance Department indicates, to the extent issuers aren't currently reimbursing primary care providers for this coverage, this bill may cause inflationary pressure on claim costs. Issuers may respond with either increased premium rates, benefit design changes or both. Purchasers may respond by paying increased premiums or buying reduced coverage. This may have an impact premium tax revenue.

AGENCIES CONTACTED:

Insurance Department