

HB 1744-FN - AS INTRODUCED

2026 SESSION

26-2865

05/08

HOUSE BILL

1744-FN

AN ACT relative to oversight and reporting requirements for health insurance carriers regarding mental health coverage.

SPONSORS: Rep. Hartnett, Hills. 41; Rep. Burroughs, Carr. 2; Rep. M. Pearson, Rock. 34; Rep. Raymond, Hills. 5; Rep. Wallner, Merr. 19; Sen. Long, Dist 20; Sen. Rosenwald, Dist 13

COMMITTEE: Commerce and Consumer Affairs

ANALYSIS

This bill establishes reporting requirements for health insurance carriers regarding mental health and substance use disorder coverage. The bill directs the insurance commissioner shall review reports annually to ensure compliance with state and federal requirements. The bill directs the commissioner of health and human services to compile similar information regarding mental health and substance use disorder coverage under the state Medicaid program.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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-Six

AN ACT relative to oversight and reporting requirements for health insurance carriers regarding mental health coverage.

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

1 1 New Section; Managed Care Law; Mental Health Coverage Reporting and Oversight. Amend
2 RSA 420-J by inserting after section 6-e the following new section:

3 420-J:6-e Mental Health Coverage Reporting and Oversight.

4 I. Each health insurance carrier offering health benefit plans in this state shall submit an
5 annual report to the insurance department, no later than March 1 of each year, detailing the
6 carrier's policies, procedures, and data regarding mental health and substance use disorder
7 coverage, including but not limited to:

8 (a) Utilization management practices, including prior authorization, step therapy, and
9 medical necessity criteria.

10 (b) Claims denial rates for mental health and substance use disorder services compared
11 to medical/surgical services.

12 (c) Average wait times for in-network mental health provider appointments.

13 (d) Provider network adequacy specific to mental health and substance use disorder
14 care.

15 (e) Efforts to ensure compliance with federal mental health parity laws.

16 II. Reports shall be submitted in a form prescribed by the insurance commissioner and made
17 publicly available, with de-identified aggregate data to protect patient privacy.

18 III. The insurance commissioner shall review reports annually to ensure compliance with
19 state and federal requirements.

20 IV. The commissioner may adopt rules under RSA 541-A to enforce this section, including
21 establishing penalties for failure to submit complete or timely reports.

22 V. The commissioner shall prepare a biennial report to the general court summarizing
23 trends, compliance status, and recommendations for legislative action.

24 VI. This section shall apply to health carriers providing coverage under the New Hampshire
25 granite advantage health care program pursuant to RSA 126-AA.

26 2 New Paragraph; Department of Health and Human Services; Mental Health Coverage
27 Reporting and Oversight. Amend RSA 126-A:3 by inserting after paragraph X the following new
28 paragraph:

29 XI. Beginning March 1, 2027 and annually thereafter, the commissioner of the department
30 of health and human services shall prepare a detailed report regarding the scope and adequacy of

HB 1744-FN - AS INTRODUCED

- Page 2 -

1 mental health coverage and substance use disorder treatment available under the state Medicaid
2 plan, Medicaid managed care waivers and 1115 demonstrations. The commissioner shall submit the
3 report to the speaker of the house of representatives, the senate president, and the governor and
4 shall make the report available on the department's website. The report shall include the data and
5 information regarding:

6 (a) Utilization management practices, including prior authorization, step therapy, and
7 medical necessity criteria.

8 (b) Claims denial rates for mental health and substance use disorder services compared
9 to medical/surgical services.

10 (c) Average wait times for in-network mental health provider appointments.

11 (d) Provider network adequacy specific to mental health and substance use disorder
12 care.

13 (e) Efforts to ensure compliance with federal mental health parity laws.

14 3 Effective Date. This act shall take effect 60 days after its passage.

**HB 1744-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to oversight and reporting requirements for health insurance carriers regarding mental health coverage.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Revenue Fund(s)</i>	Insurance premium tax revenue			
Expenditures*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

***Expenditure = Cost of bill**

***Appropriation = Authorized funding to cover cost of bill**

The Office of Legislative Budget Assistant is unable to provide a complete fiscal note for this bill, as introduced, as it is awaiting information from the Department of Health and Human Services. The Department was originally contacted on 11/18/25 and again on 12/11/25 for a fiscal note worksheet. When completed, a revised fiscal note will be forwarded to the House Clerk's Office

METHODOLOGY:

This bill adds a new reporting requirement for health carriers specific to mental health and substance use disorder service. As with all reporting and data submissions, the Insurance Department assumes there will be an increased administrative cost for health insurance carriers. Any such costs could impact premiums and premium tax revenues to an indeterminable extent.

In addition, the bill requires the Department of Health and Human Services to compile similar information on mental health and substance use disorder services under the state Medicaid program. The Department has not yet provided information relative to the cost of the bill.

AGENCIES CONTACTED:

Departments of Insurance and Health and Human Services