

- SUBJECT:** Coverage for serious mental illness under group health insurance plans
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 9 ayes — Frullo, Muñoz, G. Bonnen, Guerra, Meyer, Paul, Sheets, Vo, Workman
0 nays
- WITNESSES:** For — Katharine Ligon, Center for Public Policy Priorities; Bill Kelly, Mental Health America of Greater Houston; April Alaspa, SafePlace; Lee Johnson, Texas Council of Community Centers; (*Registered, but did not testify*: Christine Bryan, Clarity Child Guidance Center; Eric Woomer, Federation of Texas Psychiatry; Knox Kimberly, Lutheran Social Services of the South; Cate Graziani, Mental Health America of Texas; Jennifer Reese, National Alliance on Mental Illness-Austin; Josette Saxton, Texans Care for Children; Patricia Kolodzey, Texas Medical Association; Merily Keller, Texas Suicide Prevention Council; Melody Chatelle, United Ways of Texas; Lauren Rosales; Alicia Vogel)

Against — (*Registered, but did not testify*: Bill Hammond, Texas Association of Business)

On — Andy Keller, Meadows Mental Health Policy Institute; Jan Graeber, Texas Department of Insurance; (*Registered, but did not testify*: Jennifer Soldano, Texas Department of Insurance)
- BACKGROUND:** Insurance Code, ch. 1355, subch. A requires a group health benefit plan to provide coverage, based on medical necessity, for treatment of serious mental illness, which includes treatment for seven psychiatric illnesses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual and specified in sec. 1355.001.
- DIGEST:** CSHB 838 would add post-traumatic stress disorder (PTSD) to the definition of a “serious mental illness” for which a group health benefit plan was required to provide coverage under Insurance Code, sec.

1355.001. The bill would define PTSD to mean a disorder that:

- met the diagnostic criteria for that disorder in the Diagnostic and Statistical Manual of Mental Disorders, fifth edition or later adopted by the commissioner of insurance; and
- resulted in an impairment of a person's functioning in the person's community, employment, family, school, or social group.

The bill would not apply to a qualified health plan under the Affordable Care Act (ACA) if a determination were made that the bill would require a qualified health plan to offer benefits in addition to the essential health benefits under the ACA and that the state would be required to defray the cost of the additional benefits.

CSHB 838 would take effect September 1, 2015, and would apply only to a group health benefit plan that was delivered, issued for delivery, or renewed on or after January 1, 2016.

**SUPPORTERS
SAY:**

CSHB 838 would reduce significant financial barriers to mental health care for individuals with post-traumatic stress disorder by including it as a serious mental illness for which group health benefit plans would be required by state law to provide coverage. Individuals with PTSD, an anxiety disorder, include survivors of military combat, war, family violence, sexual assault, natural disasters, and other traumatic events. Symptoms associated with PTSD can last months or years following a traumatic event, requiring ongoing treatment.

CSHB 838 would allow individuals enrolled in large employer health benefit plans to access affordable, much-needed treatment for this disorder. The bill would not create a mandate that resulted in a cost to the state because coverage for serious mental illness and PTSD already is required to be included in the federal essential health benefits for individual and small group health plans under the Affordable Care Act. Medicaid, Medicare, and the Children's Health Insurance Program already are required to cover this disorder, and the bill would ensure that more Texans had affordable access to treatment.

Any additional cost to a new policy would be negligible because the coverage already is included and priced for under most plans.

OPPONENTS
SAY:

CSHB 838 would add a mandate for health insurers, which could increase the costs of health care for businesses and premium holders.