

SENATE FILE NO. SF0052

Insurance-mental health and substance use parity.

Sponsored by: Senate Labor, Health and Social Services
Committee

A BILL

for

1 AN ACT relating to insurance; mandating equivalent benefits
2 and reimbursement related to mental health and substance
3 use services delivered remotely; specifying applicability;
4 and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 26-20-701 is amended to read:

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10 **26-20-701. Required parity for mental health and**
11 **substance use disorder insurance.**

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13 **(a)** All individual or group health insurance policies
14 providing coverage on an expense incurred basis, individual
15 and group service or indemnity type health insurance

1 contracts issued by any insurer, including any nonprofit
2 corporation and individual and group service contracts
3 issued by a health maintenance organization, shall meet the
4 requirements of, and the commissioner may enforce subject
5 to the provisions of this section, the Mental Health Parity
6 and Addiction Equity Act of 2008, 42 U.S.C. § 300gg-26, as
7 amended, and the regulations promulgated pursuant thereto
8 as of January 1, 2018. Persons exempt from complying with
9 the Mental Health Parity and Addiction Equity Act shall not
10 be exempted from complying with the requirements of this
11 section if this section otherwise applies to the person.
12 The commissioner may promulgate reasonable rules which
13 establish exemptions from the application of this section.

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15 (b) No policy or contract providing mental health or
16 substance use coverage to which subsection (a) of this
17 section applies shall:

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19 (i) Deny coverage for mental health or substance
20 use services delivered using remote audio or audio-visual
21 delivery systems to a person not physically present with
22 the delivering health care provider if coverage would be
23 provided for the same services when delivered in person;

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(ii) Charge a copayment, deductible or coinsurance amount to a person receiving mental health or substance use services through remote audio or audio-visual delivery systems that is higher than the copayment, deductible or coinsurance amount charged for the same services when delivered in person;

(iii) Reduce any payment or reimbursement provided to a health care provider using remote audio-visual delivery systems for the provision of mental health or substance use services to an amount that is less than the payment or reimbursement that would be made to a health care provider rendering those services in person.

Section 2. This act shall apply to all policies, plans and contracts delivered, issued, renewed, modified, amended or extended on or after April 1, 2021.

1 **Section 3.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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(END)

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