

HOUSE BILL 871

By Pitts

AN ACT to amend Tennessee Code Annotated, Title 56 and Title 71, relative to coverage for behavioral health treatment.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-2360, is amended by adding the following as new subsections:

(a) On or before January 1, 2018, the department of commerce and insurance shall develop a plan for a consumer and provider education campaign on mental health and alcoholism or drug dependence parity and establish entities to support consumers in understanding appeals and complaints processes and in pursuing appeals and complaints.

(b) To educate and support consumers on parity issues, the department shall:

(1) On or before January 1, 2018, conduct a broad public education campaign to alert consumers to the existence of both federal and state parity laws and the state agencies and consumer support resources available in this state, including the consumer insurance services section of the department. This campaign must be conducted in consultation with the department of mental health and substance abuse services and may include public service announcements, mailings, social media, and poster campaigns;

(2) On or before December 31, 2018, provide, or cause to be provided, at least two (2) live trainings in each grand division on parity for

consumers and providers and two (2) webinar trainings to be posted on the department's website. Separate trainings must be developed and implemented for consumers and providers. The provider training must also be made available to health advocates and enrollment assisters who work with consumers experiencing problems with health insurance and parity;

(3) Establish a consumer hotline to assist consumers in navigating the parity process on or before January 1, 2018. The consumer parity hotline must be operated by the consumer insurance services section within the department;

(4) Provide on the department's website general information about parity in non-technical, readily understandable language, including examples of possible parity violations. This information must be accessible via links on other state department websites, such as the department of mental health and substance abuse services, and advertised broadly as part of the consumer and provider education campaign;

(5) Provide, on the department's website, and on health insurance plan documents a prominently displayed notice that complaints regarding noncompliance with the federal Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (Pub. L. No. 110-343) may be filed with the department and contact information for insurers and state agencies where appeals and complaints may be filed;

(6) Provide on the department's website a prominently displayed notice that an insured may obtain assistance in filing an appeal or complaint with an insurer or the department from the consumer insurance services of the department; and

(7) On or before January 1, 2019, issue a report to the general assembly that includes the results of a formal evaluation of the education program and plans for continuing or modifying consumer education efforts in this state.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.