



Tennessee Senate

PUBLIC CHAPTER NO. 949

SENATE BILL NO. 2801

By Massey, Yager, Walley

Substituted for: House Bill No. 2921

By Mr. Speaker Sexton, Williams, Sherrell, Terry, Hardaway, Clemmons, Towns, Boyd

AN ACT to amend Tennessee Code Annotated, Title 8; Title 33; Title 56 and Title 71, relative to mental health treatment.

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

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Health benefit plan" means a plan of health insurance coverage under the medical assistance program;

(2) "Health insurance carrier":

(A) Means an entity subject to title 56, or subject to the jurisdiction of the commissioner of commerce and insurance, that contracts with healthcare providers in connection with a plan of health insurance, health benefits, or health services; and

(B) Includes a vendor or an entity that provides a health benefit plan of coverage under TennCare or a successor program provided for pursuant to this chapter; and

(3) "TennCare health benefit plan" means a health benefit plan issued by a health insurance carrier pursuant to an agreement with the bureau of TennCare to provide health insurance coverage for an enrollee in the medical assistance program.

(b) Notwithstanding another law to the contrary, a TennCare health benefit plan issued by a health insurance carrier must provide coverage and reimbursement for mental health services and treatment to the same extent that the TennCare health benefit plan provides coverage and reimbursement for the treatment of alcoholism and drug dependence.

SECTION 2. Tennessee Code Annotated, Section 56-1-102, is amended by adding the following new subdivision:

() "TennCare health benefit plan" has the same meaning as defined in SECTION 1;

SECTION 3. Tennessee Code Annotated, Section 56-7-2360(a)(2), is amended by deleting the language "pursuant to this title" and substituting "pursuant to this title or title 71, chapter 5".

SECTION 4. Tennessee Code Annotated, Section 56-7-2360(b), is amended by deleting the period at the end of the subsection and substituting "; provided, that for purposes of a TennCare health benefit plan, additional criteria used must ensure that benefit determination, including coverage and reimbursement for the treatment of alcoholism or drug dependence, remain in parity with benefit determination for the treatment of mental health disorders.".

SECTION 5. Tennessee Code Annotated, Section 56-7-2360(e)(4)(E), is amended by deleting the subdivision and substituting:

(E) A detailed explanation regarding parity in coverage and rates of reimbursement for mental health services and alcoholism and drug dependency services in compliance with this title and SECTION 1(b);

SECTION 6. Tennessee Code Annotated, Section 56-7-2601(b), is amended by deleting the language "disability, unless the policy or plan of insurance specifically excludes or reduces these benefits." and substituting "disability, unless the policy or plan of insurance, excluding a TennCare health benefit plan, specifically excludes or reduces these benefits."

SECTION 7. Tennessee Code Annotated, Section 56-7-2601(c)(3), is amended by designating the subdivision as subdivision (c)(3)(A) and adding the following subdivision (B):

(B) With respect to benefits provided under subdivision (c)(3)(A) by a TennCare health benefit plan, the benefits provided are subject to deductibles and coinsurance factors that are not less favorable than for physical illness or the treatment of alcoholism or substance abuse generally, and coverage and reimbursement are not required to be made available for more than the number of visits per year offered for the treatment of alcoholism or substance abuse.

SECTION 8. Tennessee Code Annotated, Section 56-7-2601(e), is amended by adding a new subdivision (3):

(3) For persons covered under a TennCare health benefit plan, a residential or other mental health treatment facility licensed under title 33, chapter 2, part 4.


SECTION 9. This act takes effect July 1, 2024, the public welfare requiring it, and applies to policies, plans, and contracts entered into, renewed, amended, or modified on or after that date.

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PASSED: April 22, 2024



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 6th day of May 2024



BILL LEE, GOVERNOR