

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 07-0260.01 Christy Chase

SENATE BILL 07-036

SENATE SPONSORSHIP

Keller,

HOUSE SPONSORSHIP

Stafford,

Senate Committees

State, Veterans & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE INCLUSION OF CERTAIN ADDITIONAL MENTAL**
102 **DISORDERS IN THE MANDATORY HEALTH INSURANCE COVERAGE**
103 **FOR MENTAL ILLNESS, AND, IN CONNECTION THEREWITH,**
104 **DEFINING MENTAL DISORDER AS A CONDITION CLASSIFIED AS A**
105 **MENTAL DISORDER IN THE NINTH REVISION OF THE**
106 **INTERNATIONAL CLASSIFICATION OF DISEASES AND EXCLUDING**
107 **SPECIFIED CONDITIONS DEFINED AS MENTAL DISORDERS**
108 **THEREIN.**

Bill Summary

*(Note: This summary applies to this bill as introduced and does
not necessarily reflect any amendments that may be subsequently
adopted.)*

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Expands mandatory health insurance coverage to require coverage for mental disorders as defined in the 9th revision of the international classification of diseases (ICD-9). Excludes the following mental disorders defined in the ICD-9 from the mandatory coverage provision:

Homosexuality; and
Tobacco use disorder.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 10-16-104 (5.5) (a), Colorado Revised Statutes, is
3 amended to read:

4 **10-16-104. Mandatory coverage provisions. (5.5) Biologically**
5 **based mental illness and mental disorders.** (a) (I) Every group policy,
6 plan certificate, and contract of a carrier subject to the provisions of part
7 2, 3, or 4 of this article, except those described in section 10-16-102 (21)
8 (b), shall provide coverage for the treatment of biologically based mental
9 illness that is no less extensive than the coverage provided for any
10 other A physical illness.

11 (II) EVERY GROUP POLICY, PLAN CERTIFICATE, AND CONTRACT OF
12 A CARRIER SUBJECT TO THE PROVISIONS OF PART 2, 3, OR 4 OF THIS
13 ARTICLE, EXCEPT A SMALL GROUP PLAN, AS DEFINED IN SECTION 10-16-102
14 (42), AND A POLICY OR PLAN AS DESCRIBED IN SECTION 10-16-102 (21) (b),
15 SHALL PROVIDE COVERAGE FOR THE TREATMENT OF MENTAL DISORDERS
16 THAT IS NO LESS EXTENSIVE THAN THE COVERAGE PROVIDED FOR A
17 PHYSICAL ILLNESS.

18 (III) Any preauthorization or utilization review mechanism used
19 in the determination to provide such THE coverage REQUIRED BY THIS
20 PARAGRAPH (a) shall be the same as, or no more restrictive than, that used
21 in the determination to provide coverage for any other physical illness.

22 The commissioner shall adopt such rules as are necessary to carry out the

1 provisions of this subsection (5.5). In promulgating such rules, the
2 commissioner shall recognize that the substance of the mechanisms for
3 preauthorization or utilization review may differ between medical
4 specialties and that such mechanisms shall not be more restrictive with
5 respect to a covered person or a mental health provider for a
6 determination under this ~~subparagraph (F)~~ PARAGRAPH (a) than for any
7 other physical illness.

8 ~~(H)~~ (IV) As used in this subsection (5.5):

9 (A) "Biologically based mental illness" means schizophrenia,
10 schizoaffective disorder, bipolar affective disorder, major depressive
11 disorder, specific obsessive-compulsive disorder, and panic disorder.

12 (B) "MENTAL DISORDER" MEANS ANY CONDITION DEFINED AS A
13 MENTAL DISORDER IN THE INTERNATIONAL CLASSIFICATION OF DISEASES,
14 NINTH REVISION (ICD-9), EXCLUDING THE MENTAL DISORDERS SPECIFIED
15 BY THE FOLLOWING CODE NUMBERS, AS SAID CODE NUMBERS EXISTED ON
16 JANUARY 1, 2007: 299.0, INFANTILE AUTISM; 302.0, HOMOSEXUALITY;
17 305.1, TOBACCO USE DISORDER; 315, SPECIFIC DELAYS IN DEVELOPMENT;
18 317, MILD MENTAL RETARDATION; 318, OTHER SPECIFIED MENTAL
19 RETARDATION; AND 319, UNSPECIFIED MENTAL RETARDATION.

20 **SECTION 2. Effective date - applicability.** This act shall take
21 effect January 1, 2008, and shall apply to group health insurance policies,
22 plans, or contracts offered, issued, or renewed on or after said date.

23 **SECTION 3. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, and safety.