**An Act To Improve Children's Mental Health by Requiring Insurance Coverage for Certain Mental Health Treatment**

**Emergency preamble. Whereas,** acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the COVID-19 pandemic has exacerbated the need for mental health treatment, especially among young people in the State; and

**Whereas,** in response to COVID-19 and on an ongoing basis, it is important for young people in the State to have access to mental health treatment that uses evidence-based practices; and

**Whereas,** health insurance carriers are denying to children mental health treatment that uses evidence-based practices, such as multisystemic treatments; and

**Whereas,** the purpose of this legislation is to ensure that health insurance carriers provide coverage for mental health treatment that uses evidence-based practices; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

**Be it enacted by the People of the State of Maine as follows:**

**Sec.** **1. 24-A MRSA §4320-A,** as amended by PL 2019, c. 653, Pt. C, §1, is further amended by amending the section headnote to read:

**§****4320-A.** **Coverage of preventive** **~~and~~****, primary health** **and mental health services**

**Sec.** **2. 24-A MRSA §4320-A, sub-§4** is enacted to read:

**4.** **Coverage of evidence-based mental health services for children.**  A carrier offering a health plan in this State with an effective date on or after January 1, 2023 shall, at a minimum, provide coverage for mental health treatment services that use evidence-based practices that are recommended by a provider for a child 18 years of age or younger. For the purposes of this subsection, "evidence-based practices" means clinically sound and scientifically based policies, practices and programs that reflect expert consensus on the prevention, treatment and recovery science published and disseminated by the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration or its successor organization.

**Sec.** **3. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2023. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

**SUMMARY**

This bill requires health insurance carriers to provide coverage for mental health treatment services that use evidence-based practices that are recommended by a provider for a child 18 years of age or younger. The bill defines "evidence-based practices" as clinically sound and scientifically based policies, practices and programs that reflect expert consensus on the prevention, treatment and recovery science published and disseminated by the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration. The bill’s requirements apply to health plans with an effective date on or after January 1, 2023.