

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Insurance-mental health and substance use parity.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

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

5

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

7

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

9

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

12

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

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19 (b) No policy or contract providing mental health or
20 substance use coverage to which subsection (a) of this
21 section applies shall:

22

1 (i) Deny coverage for mental health or substance
2 use services delivered using remote audio or audio-visual
3 delivery systems to a person not physically present with
4 the delivering health care provider if coverage would be
5 provided for the same services when delivered in person;

6
7 (ii) Charge a copayment, deductible or
8 coinsurance amount to a person receiving mental health or
9 substance use services through remote audio or audio-visual
10 delivery systems that is higher than the copayment,
11 deductible or coinsurance amount charged for the same
12 services when delivered in person;

13
14 (iii) Reduce any payment or reimbursement
15 provided to a qualified health care provider using remote
16 audio or audio-visual delivery systems for the provision of
17 mental health or substance use services to an amount that
18 is less than the payment or reimbursement that would be
19 made to a provider rendering those services in person.

20
21 **Section 2.** This act shall apply to all policies,
22 plans and contracts delivered, issued, renewed, modified,
23 amended or extended on or after January 1, 2021.

1

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

6

7

(END)