

**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 mental health and substance  
3 use services delivered remotely; specifying applicability;  
4 and providing for an effective date.

5

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

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

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

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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 person.  
15 The commissioner may promulgate reasonable rules which  
16 establish exemptions from the application of this section.

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

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

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

4

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

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10

(END)

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