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SENATE JOINT RESOLUTION NO. 74

Offered January 13, 2010

Prefiled January 12, 2010

Requesting the Bureau of Insurance to collect data and information on the impact of federal substance abuse parity legislation. Report.

Patron—Hanger

Referred to Committee on Rules

WHEREAS, substance abuse is a significant problem affecting many residents of Virginia, and

WHEREAS, substance abuse treatment services are often not covered by health insurance policies sold by health insurance providers, rendering substance abuse treatment services prohibitively expensive for many persons in need of services, and

WHEREAS, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (Publ. L. 110-343) requires health insurance providers who provide coverage for mental health and substance abuse services to do so in a non-discriminatory manner, so that co-payment requirements, deductibles, day and visit limits, annual and lifetime caps, and other elements of coverage for substance abuse and mental health treatment services are equal to those for medical service; and

WHEREAS, substance abuse treatment insurance parity requirements increase access to necessary services for persons in need of substance abuse treatment services and may reduce the cost of substance abuse and substance abuse treatment services to the Commonwealth; and

WHEREAS, the Bureau of Insurance of the State Corporation Commission is the state agency charged with ensuring that citizens of the Commonwealth are provided with access to adequate and reliable insurance protection and that insurance companies conduct their business according to statutory and regulatory requirements and acceptable standards of conduct; and

WHEREAS, it is necessary to understand the impact of federal substance abuse treatment parity requirements on the provision of substance abuse treatment services and citizens' access to substance abuse treatment services in the Commonwealth and to ensure that insurance coverage is being provided and administered in compliance with federal and state laws and regulations; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Bureau of Insurance of the State Corporation Commission be requested to collect data and information on the impact of federal substance abuse parity legislation, including the number of complaints regarding violations of statutory and regulatory requirements related to the fair, equitable, and legal provision of substance abuse treatment services insurance coverage, responses to such complaints in the Commonwealth, and steps that the Commonwealth may take to address problems related to the fair, equitable, and legal provision of substance abuse treatment services insurance coverage.

All agencies of the Commonwealth shall provide assistance to the Bureau of Insurance in collecting the information, upon request.

The Bureau of Insurance shall submit to the Division of Legislative Automated Systems an executive summary, the data and information collected on the impact of federal substance abuse treatment services insurance parity, and any recommendations for addressing problems related to the fair, equitable, and legal provision of substance abuse treatment services insurance coverage in the Commonwealth no later than the first day of the 2011 Regular Session of the General Assembly. The executive summary, data and information, and recommendations shall be submitted for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

INTRODUCED

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