

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: HB2216-ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Leftwich

3. Committee: Passed Both Houses

4. Title: Health insurance; coverage for mental health benefits; mobile crisis response services and residential crisis stabilization units.

5. Summary: The bill requires health insurance carriers to provide coverage for mobile crisis response services, defined in the bill, and support and stabilization services provided in a residential crisis stabilization unit, defined in the bill. Coverage shall include mobile crisis response services and support and stabilization services provided in a residential crisis stabilization unit to the extent that such services are covered in other settings or modalities, regardless of any difference in billing codes.

The bill requires the State Corporation Commission (SCC), in consultation with the Secretary of Health and Human Resources, to convene a work group to examine network standards for mobile crisis response services and the current availability of mobile crisis response services in the Commonwealth. The work group shall make recommendations regarding (i) the definition and standards of care for mobile crisis response services and short-term residential crisis stabilization services as they apply to the commercial insurance market, including balance billing protections; (ii) the licensure or accreditation required for such services in the Commonwealth; and (iii) how cost-sharing and deductibles will be addressed as part of accessing such services for commercially insured individuals. The SCC shall report the work group's findings to the Health Insurance Reform Commission and Governor no later than September 1, 2023.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final – see Item 8.

8. Fiscal Implications: The State Corporation Commission (SCC) notes that there are several legislative proposals advancing that require the agency to conduct a study, write a report, or lead a work group. When considered in combination with one or more additional studies, reports, and work groups assigned to the SCC within other pending legislative proposals, the SCC estimates the nongeneral fund fiscal impact for FY 2024 to be between \$100,000 and \$300,000, depending on the number of additional studies, reports, and work groups.

According to the State Corporation Commission (SCC), the proposed legislation is not expected to impact qualified health plans (QHPs) sold through the Virginia Health Benefit Exchange. Pursuant to Section 38.2-6506 A.1., if services are identified in addition to the ones contained in Virginia's Benchmark Plan, QHPs sold through the Virginia health insurance exchange would not be required to cover these services, and, therefore, would not trigger state defrayal of the additional costs to insurers.

According to the Department of Human Resource Management, this bill is not expected to have a fiscal impact on the state health insurance program.

According to the Department of Medical Assistance Services, this bill is not expected to have a fiscal impact on Medicaid.

- 9. Specific Agency or Political Subdivisions Affected:** State Corporation Commission, Department of Human Resource Management, Department of Medical Assistance Services, Secretary of Health and Human Resources.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** This bill is identical to SB 1347-ER.