

SENATE BILL NO. 1157

September 30, 2020, Introduced by Senators IRWIN, CHANG, MOSS and HOLLIER and referred to the Committee on Insurance and Banking.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406v.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 3406v. (1) The director shall implement and enforce**
2 **applicable provisions of the Paul Wellstone and Pete Domenici**
3 **mental health parity and addiction equity act of 2008 and federal**
4 **guidance or regulations relevant to that act, including 45 CFR**
5 **146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a) (3),**
6 **which include all of the following:**

1 (a) Proactively ensuring compliance by any insurer that
2 delivers, issues for delivery, or renews in this state a health
3 insurance policy.

4 (b) Evaluating all consumer or provider complaints regarding
5 mental health and substance use disorder coverage for possible
6 parity violation.

7 (c) Performing parity-compliance market conduct examinations
8 of insurers, particularly market conduct examinations that focus on
9 nonquantitative treatment limitations such as prior authorization,
10 concurrent review, retrospective review, step therapy, network
11 admission standards, reimbursement rates, and geographic
12 restrictions, among other nonquantitative treatment limitations.

13 (d) Requiring that insurers submit comparative analyses during
14 the form review process demonstrating how they design and apply
15 nonquantitative treatment limitations, both as written and in
16 operation, for mental health and substance use disorder benefits as
17 compared to how they design and apply nonquantitative treatment
18 limitations, as written and in operation, for medical and surgical
19 benefits.

20 (2) As used in this section, "the Paul Wellstone and Pete
21 Domenici mental health parity and addiction equity act of 2008"
22 means subtitle B of title V of division C of Public Law 110-343.