

**CHAPTER 283**  
**SB 272-FN - FINAL VERSION**

02/21/2019 0391s

2019 SESSION

19-0921  
01/03

SENATE BILL            ***272-FN***

AN ACT                relative to mental health parity under the insurance laws.

SPONSORS:            Sen. Morgan, Dist 23; Sen. Bradley, Dist 3; Sen. Cavanaugh, Dist 16; Sen. Chandley, Dist 11; Sen. D'Allesandro, Dist 20; Sen. Feltes, Dist 15; Sen. Fuller Clark, Dist 21; Sen. Kahn, Dist 10; Sen. Levesque, Dist 12; Sen. Soucy, Dist 18; Sen. Watters, Dist 4

COMMITTEE:          Commerce

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ANALYSIS

This bill authorizes the insurance commissioner to enforce the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 and requires the commissioner to examine and evaluate health insurers, health service corporations, and health maintenance organizations for compliance.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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**SB 272-FN - FINAL VERSION**

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT                      relative to mental health parity under the insurance laws.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            283:1 Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, II to read  
2 as follows:

3            II. Notwithstanding any other provision of law, each insurer that issues or renews any  
4 policy of ~~[group]~~ accident or health insurance and each nonprofit health service corporation under  
5 RSA 420-A and health maintenance organization under RSA 420-B providing benefits for disease or  
6 sickness in the state of New Hampshire shall provide benefits for treatment and diagnosis of certain  
7 biologically-based mental illnesses under the same terms and conditions and which are no less  
8 extensive than coverage provided for any other type of health care for physical illness.

9            283:2 Coverage for Certain Biologically-Based Mental Illnesses. Amend RSA 417-E:1, V to read  
10 as follows:

11            V. The commissioner ***shall have the authority to enforce the Paul Wellstone and Pete***  
12 ***Domenici Mental Health Parity and Addiction Equity Act of 2008 (the Act), including any***  
13 ***amendments thereto and any federal rules adopted thereunder, and*** may adopt rules, under  
14 RSA 541-A, as may be necessary to effectuate any provisions of the ~~[Mental Health Parity Act of~~  
15 ~~2008]~~ ***Act*** that relate to the business of insurance.

16            ***V-a. Under examination authority in RSA 400-A:37, the commissioner shall***  
17 ***periodically examine and evaluate health insurers, health service corporations, and health***  
18 ***maintenance organizations for compliance with this chapter and with the Act. Such***  
19 ***examination and evaluation shall include provider reimbursement practices. The result of***  
20 ***such examinations and evaluations shall be made public to the fullest extent allowed***  
21 ***under RSA 400-A:37.***

22            283:3 Effective Date. This act shall take effect January 1, 2020.

Approved: July 19, 2019  
Effective Date: January 01, 2020