

SHB 1154 - H AMD 2

By Representative Serben

FAILED 01/28/2005

1 On page 6, after line 26, insert the following:

2 "(6) The mandate to provide coverage for mental health services  
3 shall not apply with respect to a group of fifty or more employees if  
4 the insurer chooses to contest the application of the mandate and can  
5 demonstrate an increase in the cost of the plan of more than one  
6 percent. The insurer can file documentation of any increases due to  
7 the mandate with the office of the insurance commissioner. If the  
8 commissioner determines that an increase of more than one percent is  
9 due to the cost of complying with this act, the plan does not have to  
10 comply with the mandates in this act. The insurer may appeal the  
11 determination under chapters 48.04 and 34.05 RCW."

12 On page 8, after line 31, insert the following:

13 "(6) The mandate to provide coverage for mental health services  
14 shall not apply with respect to a group of fifty or more employees if  
15 the health care service contractor chooses to contest the application  
16 of the mandate and can demonstrate an increase in the cost of the plan  
17 of more than one percent. The health care service contractor can file  
18 documentation of any increases due to the mandate with the office of  
19 the insurance commissioner. If the commissioner determines that an  
20 increase of more than one percent is due to the cost of complying with  
21 this act, the plan does not have to comply with the mandates in this  
22 act. The health care service contractor may appeal the determination  
23 under chapters 48.04 and 34.05 RCW."

24 On page 10, after line 38, insert the following:

25 "(6) The mandate to provide coverage for mental health services  
26 shall not apply with respect to a group of fifty or more employees if  
27 the health maintenance organization chooses to contest the application  
28 of the mandate and can demonstrate an increase in the cost of the plan  
29 of more than one percent. The health maintenance organization can file  
30 documentation of any increases due to the mandate with the office of

1 the insurance commissioner. If the commissioner determines that an  
2 increase of more than one percent is due to the cost of complying with  
3 this act, the plan does not have to comply with the mandates in this  
4 act. The health maintenance organization may appeal the determination  
5 under chapters 48.04 and 34.05 RCW."

EFFECT: Plans offered by private health insurers do not have to  
comply with the mental health parity provisions if they can demonstrate  
the mandates have increased the cost of a plan by more than one  
percent.

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