

105TH CONGRESS
2D SESSION

H. R. 3988

To amend part C of title XVIII of the Social Security Act to assure appropriate access to mental health services under Medicare+Choice plans.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1998

Mr. STARK introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend part C of title XVIII of the Social Security Act to assure appropriate access to mental health services under Medicare+Choice plans.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare+Choice
5 Mental Health Coverage Access Assurance Act of 1998”.

1 **SEC. 2. ASSURING ADEQUATE ACCESS TO MENTAL HEALTH**
2 **SERVICES UNDER MEDICARE+CHOICE PLANS.**

3 (a) ACCESS TO APPROPRIATE CARE IN CASES OF
4 EMERGENCY MENTAL ILLNESS.—

5 (1) INCLUSION OF THREAT OF SELF-HARM IN
6 DEFINITION OF EMERGENCY MEDICAL CONDITION.—
7 Section 1852(d)(3)(B) of the Social Security Act (42
8 U.S.C. 1395w–22(d)(3)(B)) is amended by inserting
9 “and including an attempt or threat to inflict injury
10 to self” after “including severe pain”.

11 (2) INCLUSION OF MENTAL HEALTH IN COORDI-
12 NATION OF POST-STABILIZATION CARE.—Section
13 1852(d)(2) of such Act (42 U.S.C. 1395w–22(d)(2))
14 is amended by inserting “physical and mental
15 health” after “appropriate”.

16 (b) ADEQUATE INFORMATION ABOUT MENTAL
17 HEALTH BENEFITS.—

18 (1) INCLUSION OF INFORMATION ON MENTAL
19 HEALTH COVERAGE.—Section 1851(d)(3)(A)(i) of
20 such Act (42 U.S.C. 1395w–21(d)(3)(A)(i)) is
21 amended by adding at the end the following: “, in-
22 cluding hospitalization, outpatient, and drug cov-
23 erage available for the treatment of mental illness
24 and addiction disorder”.

25 (2) INCLUSION OF INFORMATION ON ANY UTILI-
26 ZATION RESTRICTIONS ON MENTAL HEALTH SERV-

1 ICES.—Section 1852(c)(2)(B) of such Act (42
2 U.S.C. 1395w-22(c)(1)(B)) is each amended by add-
3 ing at the end the following: “, including services
4 and expenditures related to treatment of mental ill-
5 ness”.

6 (c) ASSURING ACCESS TO APPROPRIATE MENTAL
7 HEALTH SERVICES.—Section 1852(d)(1)(D) of such Act
8 (42 U.S.C. 1395w-22(d)(1)(D)) is amended—

9 (1) by inserting “physical and mental health”
10 after “appropriate”; and

11 (2) by inserting “, including inpatient psy-
12 chiatric hospital services” after “services”.

13 (d) EFFECTIVE DATE.—The amendments made by
14 this section are effective for contract years beginning on
15 or after January 1, 1999.

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