

Vermont Department of Banking, Insurance, Securities
and Health Care Administration

HCA BULLETIN 131

**Transition Date for Compliance with Revisions of 8 V.S.A. § 4089b
Health Insurance coverage, mental health and substance abuse**

This Bulletin establishes the transition date for health insurance plans to be in compliance with the revision of 8 V.S.A. § 4089b regarding coverage for mental health and substance abuse.

Authority

The Commissioner is authorized to issue this Bulletin pursuant to 8 V.S.A. § 15.

Out of Network Services

Act 137 An act relating to the department of banking, insurance, securities, and health care administration, was effective on July 1, 2010. Section 26 of the act provides that 8 V.S.A. § 4089(e) (mental health parity, benefit plan network) is repealed. This amendment eliminated the provision that permitted health insurance plans to only offer mental health substance abuse services in-network. Specifically, Section 26 of Act 137 deletes 8 V.S.A. § 4089b:

“plan shall be construed to be in compliance with this section if one choice for treatment of mental health conditions provided to the insured within the plan has rates, terms and conditions that place no greater financial burden on the insured than for access to treatment for other health conditions.”

Scope of the bulletin

This Bulletin shall apply to individual and group policies issued or renewed on or after January 1, 2011.

Filing Requirements

Policies that are not currently in compliance with Vermont law as described in this Bulletin must come into compliance either through an approved rider or by amending the policy form.

Enforcement

Failure to comply with applicable legal obligations may be enforced pursuant to Title 8.

Dated at Montpelier, Vermont, this 12th day of August, 2010.


Michael Bertrand, Commissioner