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Bill Analysis
Legislative Service Commission

H.B. 594
123rd General Assembly
(As Introduced)

Reps. D. Miller, Allen, Barrett

BILL SUMMARY

- Requires certain health insuring corporations, sickness and accident insurers, and public employee benefit plans to provide benefits for the diagnosis and medically necessary treatment of social anxiety disorder.

CONTENT AND OPERATION

Coverage for social anxiety disorder

The bill requires the policies, contracts, and agreements of certain health insuring corporations, sickness and accident insurers, and public employee benefit plans to provide benefits for the diagnosis and medically necessary treatment of social anxiety disorder. "Social anxiety disorder" is defined by the bill as a condition that meets the criteria for generalized social phobia set forth in the most recent edition of the *Diagnostic and Statistical Manual of Mental Disorders*. (See COMMENT.)

Health insuring corporations

(sec. 1751.69)

In the case of a health insuring corporation, the bill provides that each individual or group health insuring corporation policy, contract, or agreement providing basic health care services must provide benefits for the diagnosis and medically necessary treatment of social anxiety disorder. Benefits must be provided on the same terms and conditions as, and be no less extensive than, the benefits provided under the policy, contract, or agreement for the diagnosis and treatment of other diseases, disorders, and impairments. For the purpose of the bill, the diagnosis and medically necessary treatment of social anxiety disorder is deemed to be a basic health care service.

The bill provides that nothing in it is to be construed to prohibit a health insuring corporation from offering coverage for other mental health services, alone or in combination with either basic health care services or other supplemental health care services.

Sickness and accident insurers and public employee benefits plans

(secs. 3923.81 and 3923.82)

In the case of a policy of sickness and accident insurance or public employee benefit plan, the bill requires each policy or plan to provide benefits for the diagnosis and medically necessary treatment of social anxiety disorder.* Benefits must be provided on the same terms and conditions as, and not be less extensive than, those provided under the policy or plan for the diagnosis and treatment of other diseases, disorders, and impairments.

Current law provides that every policy of group sickness and accident insurance providing hospital, surgical, or medical expense coverage for other than specific diseases or accidents only that is delivered, issued for delivery, or renewed in Ohio and provides coverage for mental and emotional disorders must provide benefits for services on an outpatient basis for each eligible person under the policy for mental and emotional disorders, or for evaluations, that are at least equal to \$500 in any calendar year or 12-month period. (R.C. § 3923.28.) Under the bill, this provision is not to be construed to limit or control the provision of benefits for social anxiety disorder required by the bill.

Mandated benefits review

Under current law, a provision for mandated benefits contained in a law enacted after January 14, 1993, may not be applied to any policy, contract, plan, or other arrangement providing sickness and accident or other health benefits until the Superintendent of Insurance determines, pursuant to a hearing conducted in accordance with the Administrative Procedure Act (Revised Code Chapter 119.) that the provision can be applied fully and in all respects to employee benefit plans subject to the federal Employee Retirement and Income Security Act (ERISA) and to employee benefit plans established or modified by the state or any political subdivision of the state, or any agency or instrumentality of the state, or any political subdivision of the state. (R.C. § 3901.71.) The bill exempts coverage requirements for social anxiety disorder from this requirement.

* *The bill defines a "policy of sickness and accident insurance" as including any individual or group policy of sickness and accident insurance that provides health care coverage for other than specific diseases or accidents only.*

COMMENT

According to the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders*, the essential feature of social phobia disorder is a marked and persistent fear of social or performance situations in which embarrassment may occur. Exposure to the social or performance situation almost invariably provokes an immediate anxiety response.

In feared social or performance situations, individuals with social phobia experience concerns about embarrassment and are afraid that others will judge them to be anxious, weak, "crazy," or stupid. They may fear public speaking because of concern that others will notice their trembling hands or voice or they may experience extreme anxiety when conversing with others because of a fear they will appear inarticulate. They may avoid eating, drinking, or writing in public because of a fear of being embarrassed by having others see their hands shake. Individuals with social phobia almost always experience symptoms of anxiety (e.g., palpitations, tremors, sweating, gastrointestinal discomfort, diarrhea, muscle tension, blushing, or confusion) in feared social situations, and, in severe cases, these symptoms may meet the criteria for a panic attack. (*Diagnostic and Statistical Manual of Mental Disorders*, American Psychiatric Association (Fourth Edition, 1994) pp. 411-412.)

HISTORY

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