

**Memorandum**

To: File

From: Olivia G. Buckner

Date: April 27, 2022

Re: House Bill 1013's Department and Agency Requirements

	Assignment	Part	Department	Due Date
1	Submit a report that contains the designated comparative analyses and other information designated by the Commissioner for that reporting year for insurers under the Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C. Section 300gg-26(a)(8)(A) and which delineates the comparative analysis and written processes and strategies used to apply benefits for children, adolescents, and adults.	1-2	Department of Insurance – Commissioner	January 1, 2023 (annually thereafter)
2	Publish reports required in #1 to the department's website in a prominent location and a list of the designated NQTLs, comparative analyses, and other information required by the Insurance Commissioner.	1-2	Department of Insurance – Commissioner	January 1, 2024 (annually thereafter)
3	Conduct an annual data call of health insurers to ensure compliance with mental health parity requirements, including, but not limited to compliance with the Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C Section 300gg-26.	1-2	Department of Insurance – Commissioner	May 15, 2023 (annually thereafter)
4	Submit an annual report to the Governor, Lieutenant governor, and Speaker of the House regarding the data call (#3).	1-2	Department of Insurance – Commissioner	August 15, 2023 (annually thereafter)
5	create a repository for tracking, analyzing, and reporting information regarding any suspected mental health parity violations.	1-2	Department of Insurance – Commissioner	January 1, 2023
6	Submit a report to the administrator of the Georgia Data Analytic Center and the General Assembly with information	1-2	Department of Insurance – Commissioner	January 15, 2024 (annually thereafter)

	regarding the previous year's complaints and all elements contained in the repository.			
7	Submit a report to the Commissioner of Community Health that contains the comparative analysis and other information required of insurers under the Mental Health Parity and Addiction Equity Act of 2008, 42 U.S.C Section 300gg-26(a)(8)(A) and which delineates the comparative analysis and written processes and strategies used to apply benefits for children, adolescents, and adults.	1-4	Department of Insurance – Commissioner	January 1, 2023 (annually thereafter)
8	Publish report in #7 on the DCH website in a prominent location.	1-4	Department of Community Health - Commissioner	January 1, 2024 (annually thereafter)
9	Create a repository for tracking, analyzing, and reporting information resulting from complaints received from consumers and health care providers regarding suspected mental health parity violations. Such repository shall include complaints, department reviews, mitigation efforts, and outcomes, among other criteria established by the department.	1-4	Department of Community Health	July 1, 2023
10	Submit a report to the administrator of the Georgia Data Analytic Center and the General Assembly with information regarding the previous year's complaints and all elements contained in the repository.	1-4	Department of Community Health - Commissioner	January 15, 2024 (annually thereafter)
11	Must comply with 85% MLR or such higher minimum percentage as may be set out in contracts between the department and a CMO consistent with 42 C.F.R Section 438.8.	1-4	Care Management Organizations	July 1, 2023

12	Each CMO will provide a remittance for an MLR reporting year if the ratio for that MLR reporting year does not meet the minimum MLR standard of 85%. The department shall determine the remittance amount on a plan-specific basis for each rating region of the plan and shall calculate the federal and nonfederal share amounts associated with each remittance.	1-4	Care Management Organizations	Effective for contract rating periods beginning on and after July 1, 2023
13	Grant program for the purpose of fostering implementation and practice of AOTs.	3-1	Department of Behavioral Health and Developmental Disabilities	January 1, 2023-December 31, 2025
14	Issue a funding opportunity announcement inviting any CSB or private provider, in partnership with a court or courts holding jurisdiction over probate matters in a corresponding service area, to submit a written application for funding an "AOT" program.	3-1	Department of Behavioral Health and Developmental Disabilities	October 1, 2022
15	Publicly announce awards for funding support, subject to annual review, to the five applicants whose applications received the highest scores under the scoring rubric.	3-1	Department of Behavioral Health and Developmental Disabilities	December 31, 2022
16	Requires the organization, entity, or consultant to submit a final report on the effectiveness of the AOT grant program to the Governor, the chairpersons of the House and Senate Committees on Health and Human Services, and the office of Health Strategy and Coordination.	3-1	Department of Behavioral Health and Developmental Disabilities	December 31, 2025
17	Evaluate prescription drug costs and create a comprehensive unified formulary for mental health and substance use disorder prescriptions under Medicaid and PeachCare for Kids and a comprehensive unified formulary	4-3	Office of Health Strategy and Coordination	December 1, 2022

	for mental health and substance use disorder prescriptions for the State Health Benefit Plan			
18	Conduct a survey or study on the transport of individuals to and from emergency receiving, evaluation, and treatment facilities. The Survey or study shall identify what method of transport is used in each county, such as the sheriff, a law enforcement agency, a private non-emergency provider, or an ambulance service.	4-3	Office of Health Strategy and Coordination	January 1, 2023
19	Repeal 4-3 of House Bill 1013			January 1, 2023
20	Submit recommendations and evaluation of its implementation and any recommendations for funding to the Office of Health Strategy and Coordination, the Governor. The Speaker of the House, and the Lieutenant Governor.	4-9	Behavioral Health Coordinating Council	October 1, 2022
21	Provide annual reports to the Office of Health Strategy and Coordination regarding complaints from individuals receiving services, make recommendations to the Commissioner regarding such complaints and ensure that the rights of individuals receiving services are fully protected.	5-1	A unit to be established by the Department of Behavioral Health and Developmental Disabilities	October 1, 2023
22	Provide the Office of Health Strategy and Coordination an annual status report regarding successful housing placements and unmet housing needs for the previous year and anticipated housing needs for the upcoming year.	5-1	A unit to be established by the Department of Behavioral Health and Developmental Disabilities	October 1, 2023
23	Provide the Office of Health Strategy and Coordination annual reports regarding programs designed to serve disabled infants, children, and youth in cooperation with DOE, USG, TCSG, DJJ, DECL, DPH, and CSBs.	5-1	Department of Behavioral Health and Developmental Disabilities	October 1, 2023 (annually thereafter)

24	Submit annual reports regarding the performance and fiscal status of each CSB to the Office of Health Strategy and Coordination.	5-1	Department of Behavioral Health and Developmental Disabilities	October 1, 2023
25	Develop and implement a workable state-wide system for sharing data relating to the care and protection of children between such agencies, utilizing existing state-wide data bases and data delivery systems to the greatest extent possible, to streamline access to such data: Divisions of Family and Children services of the department, Department of Early Care and Learning, DPH, DBHDD, DJ, DOE, and the Georgia Crime Information Center.	5-3	Department of Human Services	October 1, 2024
26	Complete a study on the comparison of reimbursement rates for mental health services under Medicaid, PeachCare for Kids, and the state health benefit plan with other states; reimbursement for health care providers providing mental health care services under Medicaid, PeachCare for Kids, and the state health benefit plan with other states; reimbursement for hospital caring for uninsured patients with mental health and substance abuse disorders in the emergency department for extended periods of time while the patient is waiting on placement and transfer to a behavioral health facility for evaluation and treatment; accounting of mental health fund distribution across state agencies, including but not limited to, DBHDD, DHS, DJJ; medical necessity denials for adolescent mental and behavioral health services; and, implementation of coordinated health care for any child who enters foster care	6-1	Department of Community Health	December 31, 2022

	such that Medicaid claims data shall be shared immediately with DFCs.			
27	Prepare annual unified report regarding complaints filed for suspected violations of mental health parity laws. The Report will include data from DOI and DCH. The unified report will be completed and made publicly available.	6-4	Georgia Data Analytic Center Project Administrator	April 1, 2024 (annually thereafter)