

HOUSE BILL NO. 363

INTRODUCED BY L. BISHOP, A. REDFIELD

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE EXCLUSION OF EATING DISORDERS FROM THE MONTANA MENTAL HEALTH PARITY ACT; AND AMENDING SECTION 33-22-702, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 33-22-702, MCA, is amended to read:

"33-22-702. Definitions. For purposes of this part, the following definitions apply:

(1) "Inpatient benefits" are as set forth in 33-22-705.

(2) "Mental health treatment center" means a treatment facility organized to provide care and treatment for mental illness or severe mental illness through multiple modalities or techniques pursuant to a written treatment plan approved and monitored by a qualified health care provider and a treatment facility that is:

- (a) licensed as a mental health treatment center by the state;
- (b) funded or eligible for funding under federal or state law; or
- (c) affiliated with a hospital under a contractual agreement with an established system for patient referral.

(3) (a) "Mental illness" means a clinically significant behavioral or psychological syndrome or pattern that occurs in a person and that is associated with:

- (i) present distress or a painful symptom;
- (ii) a disability or impairment in one or more areas of functioning; or
- (iii) a significantly increased risk of suffering death, pain, disability, or an important loss of freedom.

(b) Mental illness must be considered as a manifestation of a behavioral, psychological, or biological dysfunction in a person.

(c) Mental illness does not include:

- (i) a developmental disorder;
- (ii) a speech disorder;
- (iii) a psychoactive substance use disorder; or
- ~~(iv) an eating disorder, except for bulimia and anorexia nervosa; or~~

~~(v)~~(iv) an impulse control disorder, except for intermittent explosive disorder and trichotillomania.

1 (4) "Outpatient benefits" are as set forth in 33-22-705.

2 (5) "Qualified health care provider" means a person licensed as a physician, psychologist, social worker,
3 clinical professional counselor, marriage and family therapist, or addiction counselor or another appropriate
4 licensed health care practitioner.

5 (6) "Severe mental illness" means the following disorders as defined by the American psychiatric
6 association:

7 (a) schizophrenia;

8 (b) schizoaffective disorder;

9 (c) bipolar disorder;

10 (d) major depression;

11 (e) panic disorder;

12 (f) obsessive-compulsive disorder; and

13 (g) autism.

14 (7) (a) "Substance use disorder" means the uncontrollable or excessive use of an addictive substance,
15 including but not limited to alcohol, morphine, cocaine, heroin, opium, cannabis, barbiturates, amphetamines,
16 tranquilizers, or hallucinogens, and the resultant physiological or psychological dependency that develops with
17 continued use of the addictive substance and that requires medical care or other appropriate treatment as
18 determined by a licensed addiction counselor or other appropriate medical practitioner.

19 (8) "Substance use disorder treatment center" means a treatment facility that:

20 (a) provides a program for the treatment of substance use disorders pursuant to a written treatment plan
21 approved and monitored by a qualified health care provider; and

22 (b) is licensed or approved by the department of public health and human services under 53-24-208 or
23 is licensed or approved by the state where the facility is located."

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