

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 38.2-3414.1 of the Code of Virginia, relating to health insurance; coverage*
 3 *for maternal mental health screenings.*

4 [H 1400]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 38.2-3414.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 38.2-3414.1. Obstetrical benefits; coverage for maternal mental health postpartum services.**9 *A. ~~Each~~ As used in this section, "maternal mental health" means a mental health condition that occurs*
 10 *during pregnancy or during the postpartum period and includes postpartum depression.*11 *B. Notwithstanding the provisions of § 38.2-3419 or subdivision A 1 of § 38.2-6506, each insurer*
 12 *proposing to issue an individual or group hospital policy or major medical policy in this Commonwealth,*
 13 *each corporation proposing to issue an individual or group hospital, medical or major medical subscription*
 14 *contract, and each health maintenance organization providing a health care plan for health care services that*
 15 *provides benefits for obstetrical services shall provide coverage for *maternal mental health screenings and**
 16 *postpartum services as provided in this section.*17 *B. C. Such coverage shall include benefits for inpatient care and a home visit or visits which shall be in*
 18 *accordance with the medical criteria, outlined in the most current version of or an official update to the*
 19 *"Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College*
 20 *of Obstetricians and Gynecologists or the "Standards for Obstetric-Gynecologic Services" prepared by the*
 21 *American College of Obstetricians and Gynecologists. Such coverage shall be provided incorporating any*
 22 *changes in such Guidelines or Standards within six months of the publication of such Guidelines or Standards*
 23 *or any official amendment thereto.*24 *C. ~~The requirements of this section shall apply to all insurance policies, contracts and plans delivered,~~*
 25 *~~issued for delivery, reissued, or extended on and after July 1, 1996, or at any time thereafter when any term of~~*
 26 *~~the policy, contract or plan is changed or any premium adjustment is made.~~*27 *D. Such coverage for maternal mental health screenings shall include at least one maternal mental health*
 28 *screening to be conducted during pregnancy, at least one additional screening to be conducted during the*
 29 *first six weeks of the postpartum period, and additional postpartum screenings, if determined to be medically*
 30 *necessary and clinically appropriate in the judgment of the treating provider.*31 *E. Coverage for a prescription drug that is approved by the U.S. Food and Drug Administration for the*
 32 *treatment of a maternal mental health condition shall not be subject to prior authorization requirements*
 33 *unless there are clinically significant safety or efficacy concerns.*34 *F. This section shall not apply to short-term travel, accident only, or limited or specified disease policies*
 35 *or contracts, nor to policies or contracts designed for issuance to persons eligible for coverage under Title*
 36 *XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or federal*
 37 *governmental plans.*38 **2. That the provisions of this act shall apply to any individual or group accident and sickness insurance**
 39 **policy, individual or group accident and sickness subscription contract, or health care plan for health**
 40 **care services delivered, issued for delivery, or renewed in the Commonwealth on and after January 1,**
 41 **2027.**

ENROLLED

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