



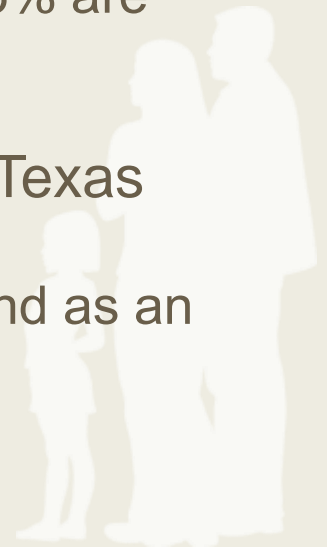
Coverage for Serious Emotional Disturbance in Children

Children's Mental Health Forum

May 18, 2010

Who is Clarity CGC?

- Southwest Mental Health Center and Child Guidance Center of San Antonio merged on April 8 to create Clarity Child Guidance Center.
- We now have the region's largest staff of mental health professionals specializing in the treatment of kids ages 3-17.
 - We remain not-for-profit.
 - 80% of our kids are low-income or state-supported; 25% are foster care.
- We have low-cost contracts with many of the South Texas MHMRs.
 - We act as the “state hospital” for kids 12 and under, and as an overflow for kids 13 and older.
- We take children regardless of their ability to pay.



Serious Emotional Disturbance

- Child Adolescent Texas Recommended Assessment Guidelines (TRAG) were adapted from the adult guide “to reflect a developmental perspective, family focus and acknowledgement of the array of services in systems that serve children and adolescents with serious emotional disturbances”.
- The YES Waiver was created to prevent custody relinquishment and “allows Texas to pilot a continuum of services to youth with SED”.
- In education, children are eligible for IDEA because of serious emotional disturbance.

SED addresses issues children have, behaviorally or emotionally, that impairs their ability to function.

Functionality v. Diagnosis

- State law requires treatment for “serious mental illness”, defined as bipolar disorders, depressive disorders, psychotic disorders and autism spectrum.
- Often, children have behavioral/emotional issues due to trauma or lack of coping skills.
 - Children often do not meet the criteria for a biologically based mental illness, or payor definition of “medical necessity”.
 - May not receive treatment for:
 - ADHD
 - Anxiety Disorders
(including PTSD)
 - Eating Disorders
 - Adjustment Disorders
 - Attachment Disorders
 - Somatoform Disorders
 - Encopresis
 - Gender Identity Disorders



Real stories - Real kids:

Elizabeth (15)

Will (7)

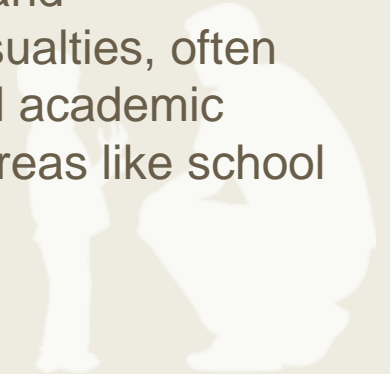


And with current conditions ...

“Job Woes Exacting a Toll on Family Life” – NY Times, 11/12/09

“Paul Bachmuth’s 9-year old daughter, Rebecca, began pulling out strands of her hair over the summer. His older child, Hannah, 12, has become noticeably angrier, more prone to throwing tantrums. Initially, Mr. Bachmuth, 45, did not think his children were terribly affected when he lost his job nearly a year ago. But now he cannot ignore the mounting evidence.”

“For many families across the country, the greatest damage inflicted by this recession has not been necessarily financial, but emotional and psychological. Children, especially, have become hidden casualties, often absorbing more than their parents are fully aware of. Several academic studies have linked parental job loss to adverse impacts in areas like school performance and self-esteem.”



Serious Emotional Disturbance

Bianca Briseno

Legislative Aide

Rep. Joaquin Castro's office



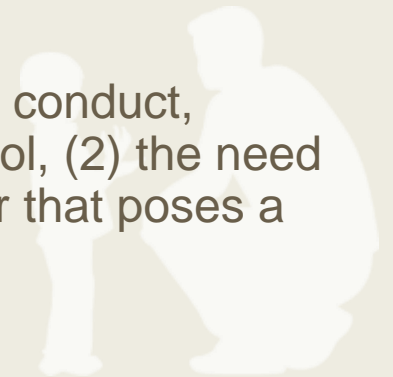
States with SED Coverage

- California (1999)
- Idaho – state employees only (2006)
- Massachusetts (2000)
- New York (2007)
- Pennsylvania

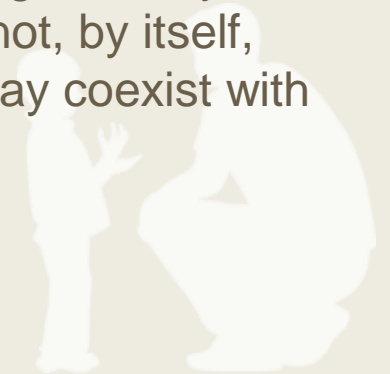


Massachusetts (2000)

- Part I. Administration of the Government/ Chapter 175- Insurance.
 - Mental health benefits; non-biologically-based mental disorders of children and adolescents under age 19
 - non-biologically-based mental, behavioral or emotional disorders, as described in the most recent edition of the DSM, which substantially interfere with or *substantially limit the functioning* and social interactions of a child or adolescent
 - The child's primary care physician, pediatrician, or a licensed mental health professional has made the referral for diagnosis and treatment of the disorder, and has documented the substantial interference or limitation,
- or
- The substantial interference or limitation is evidenced by conduct, including, but not limited to (1) an inability to attend school, (2) the need for hospitalization, or (3) a pattern of conduct or behavior that poses a serious danger to self or others.

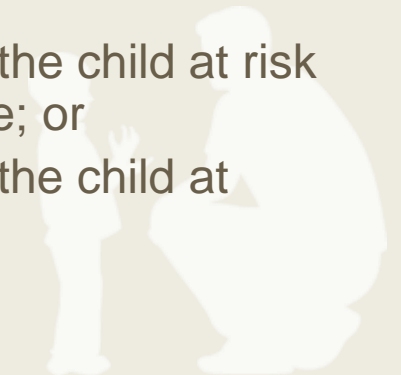


- Section 67-5761A, Idaho Code
- Coverage must provide for the treatment of serious mental illnesses and serious emotional disturbances in a manner that is equitable with that provided for other major physical illnesses.
 - "Serious emotional disturbance" means an emotional or behavioral disorder, or a neuropsychiatric condition which results in a serious disability, and which requires sustained treatment interventions, and causes the ***child's functioning to be impaired*** in thought, perception, affect or behavior. A disorder shall be considered to "result in a serious disability" if it causes substantial impairment of functioning in family, school or community. A substance abuse disorder does not, by itself, constitute a serious emotional disturbance, although it may coexist with serious emotional disturbance. (16-2403, Idaho Code)



New York – Timothy's Law

- Timothy's Law – must provide mental health and chemical dependency coverage comparable to other health care and medical services.
- Serious Emotional Disturbance - persons under the age of 18 yrs old who have diagnoses of attention deficit disorders, disruptive behavior disorders, or pervasive development disorders, and where there are one or more of the following:
 - serious suicidal symptoms or other life-threatening self-destructive behaviors;
 - significant psychotic symptoms (hallucinations, delusion, bizarre behaviors);
 - behavior caused by emotional disturbances that placed the child at risk of causing personal injury or significant property damage; or
 - behavior caused by emotional disturbances that placed the child at substantial risk of removal from the household.



Timothy's Law cont

- signed into law in 2007 – plan to revisit in 2 yrs
- made permanent in 2009



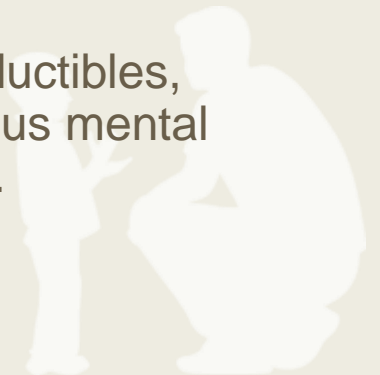
- Sec. 1355.001. Definitions
 - (1) "Serious mental illness" means the following psychiatric illnesses as defined by the APA in the DSM:
 - (2) "Small employer" – no more than 50 employees
 - (3) "Autism spectrum disorder" means a neurobiological disorder that includes autism, Asperger's syndrome, or Pervasive Developmental Disorder – Not otherwise specified
 - (4) "Neurobiological disorder" means an illness of the nervous system caused by genetic, metabolic, or other biological factors

ADD:

- (5) **"Serious emotional disturbance of a child"**



- Sec. 1355.004. Required Coverage for Serious Mental Illness
 - (a) A group health benefit plan:
 - (1) must provide coverage, based on medical necessity, for not less than the following treatments of serious mental illness in each calendar year:
 - (A) 45 days of inpatient treatment; and**
 - (B) 60 visits for outpatient treatment, including group and individual outpatient treatment; (Federal Parity)**
 - (2) may not include a lifetime limitation on the number of days of inpatient treatment or the number of visits for outpatient treatment covered under the plan; and
 - (3) must include the same amount limitations, deductibles, copayments, and coinsurance factors for serious mental illness as the plan includes for physical illness.



Possible Changes to Code

- (a) A group health benefit plan:
 - (1) must provide coverage for serious emotional disturbance of a child and serious mental illness
 - (2) may not include a lifetime limitation on the number of days on inpatient treatment or the number of visits for outpatient treatment covered under the plan; and
 - (3) must include the same amount limitations, deductibles, copayments, and coinsurance factors for serious emotional disturbance of a child and serious mental illness as the plan includes for physical illness

