

January 15, 1985

SUBJECT: INSURANCE

WITHDRAWN

CIRCULAR LETTER NO. 3 (1985)

January 15, 1985

TO: All Insurers, including Article 43 Corporations, licensed to write Accident and Health Insurance in New York State

RE: Chapter 990 of the Laws of 1984: Coverage for services performed by a certified and registered social worker where the contract provides reimbursement for psychiatric or psychological services

Chapter 990 of the Laws of 1984, effective January 1, 1985, amends Sections 162 and 253 (recodified Sections 3221 and 4303) of the New York Insurance Law and provides that every insurer issuing a group policy for delivery in this State, and every health service or medical expense indemnity corporation issuing a group contract or a group remittance contract for delivery in this State, which provides reimbursement for psychiatric or psychological services by a physician, psychiatrist, or psychologist, must provide the same coverage when such services are performed by a certified and registered social worker acting within the lawful scope of his or her practice.

In order to qualify for reimbursement, the social worker must be certified pursuant to Article 154 of the Education Law and must also have either (i) at least six years post degree experience in psychotherapy, as defined in Chapter 990, under supervision, satisfactory to the State Board for Social Work, in a facility licensed or incorporated by an appropriate governmental department, providing services for diagnosis or treatment of mental, nervous or emotional disorders or ailments, or (ii) at least six years post degree experience in psychotherapy under the supervision, satisfactory to the State Board for Social Work, of a psychiatrist, a certified and registered psychologist or a social worker qualified for reimbursement pursuant to Sections 162.16 or 253.8 (recodified Sections 3221 (1)(4) or 4303(i)) of the New York Insurance Law, or (iii) a combination of the experience stated in items (i) and (ii) totaling at least six years, satisfactory to the State Board for Social Work.

Chapter 990 requires this coverage to be provided in all new policies and contracts issued on or after January 1, 1985, and with respect to policies and contracts issued before this date, at the first date of renewal, modification, alteration or amendment on or after January 1, 1985.

To expedite the timely filing and approval of forms and premium rates to implement Chapter 990, the following information and guidelines are applicable:

A. A list of all certified and registered social workers qualifying for reimbursement under Chapter 990 will be maintained by the State Board for Social Work, but the Insurance Department has been advised that such list will not be available for several months. To obtain the listing write:

Customers Service Unit
Division of Professional Licensing Services
Cultural Education Center

Albany, New York 12230

The State Board for Social Work has indicated that certified social workers may be registered retroactive to the date of application for registration if the qualification requirements are met. In order to expedite the proper payment of claims for services rendered by social workers, and to avoid denials of claims which may later be resubmitted, insurers should ask the social worker or the Customers Service Unit, Division of Professional Licensing Services, Department of Education, of the date, if any, of the provider's application for qualification for reimbursement under Chapter 990. Insurers should be prepared to provide reimbursement for services rendered by the social worker from the date of such application.

B. Chapter 990 is not applicable to blanket, franchise or individual policies, and in the case of Article 43 Corporations, direct payment contracts.

C. Any additional premium charge for the inclusion of this coverage should be based upon credible statistics and reasonable assumptions acceptable to the Department.

D. Forms and any rates necessary to provide this coverage should be submitted to the Department for review and formal approval as soon as possible.

[SIGNATURE]

JAMES P. CORCORAN

Superintendent of Insurance