

Press Release

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Senator Brophy McGee introduces “Jake’s Law,” a comprehensive bill to improve access to mental healthcare and reduce rising suicide rates

PHOENIX, AZ — Senator Kate Brophy McGee (R – LD 28) and Representative Jeff Weninger (R – LD 17) today introduced Jake’s Law, SB1523 and HB2764. Jake’s Law, named for Jacob Edward Machovsky who was lost to suicide on January 11, 2016, is a comprehensive effort to improve access to mental healthcare and reduce rising suicide rates.

Among other provisions, Jake’s Law expands youth access to behavioral health services in schools with an \$8 million appropriation, establishes a suicide mortality review team, and ensures insurance plans offered in Arizona comply with existing federal mental health parity laws.

“Insurance companies should be covering mental health, just like they cover an annual physical. And we’re going to make sure they do,” Governor Ducey said in his State of the State address on January 13.

Jake’s Law will require insurance companies to conduct and file an analysis with the state Department of Insurance demonstrating their compliance with federal parity laws. The department will review the reports to identify potential violations and give insurers an opportunity to address those issues.

Currently, only 40.3% of Arizonans living with mental illness are getting treatment and 41% of patients who are receiving treatment are going out-of-network for their mental health services.

“This bill is quite simply about equality. Insurers should not be able to discriminate between illnesses of the brain – like depression, anxiety, and addiction – and any other physical health condition,” said Denise Denslow, co-founder of the JEM Foundation. “I am so proud of this legislation and grateful for

Governor Ducey and Senator Brophy McGee's leadership. Jake's Law will undoubtedly save lives."

Jake's Law also includes numerous other provisions, including:

- Requires insurance cards issued in Arizona to clearly identify which governmental agency to contact for questions or to file complaints.
- Requires insurers to file a comparative analysis report with the Department of Insurance every three years, or whenever there is a substantive change in a health plan, demonstrating their compliance with federal parity laws.
- Requires the Department of Insurance to establish a consumer-friendly webpage containing resources pertaining to mental health parity, a step-by-step guide on how to file parity violation complaints, and a summary regarding insurers' compliance with mental health parity laws.
- Prohibits an insurer from denying a claim for mental health or substance use benefits based solely on the grounds that the service was provided in an educational setting or was court ordered.
- Establishes a Mental Health Parity Advisory Committee to provide the Director of the Department of Insurance advice on case management, discharge planning, and expedited review and appeals processes for cases involving suicidal ideation.
- Establishes and appropriates \$100,000 for a Suicide Mortality Review Team within the Department of Health Services.
- Expands access to behavioral health services in schools by establishing an \$8 million fund to help students covered by private insurance but who are unable to afford their copay or deductible.
- Requires and appropriates \$300,000 to the Department of Education to conduct a study to determine the adequacy of behavioral health services offered in schools.
- Requires the Department of Health Services to establish rules for discharge protocols for patients admitted for suicidal ideation or a suicide attempt including information on crisis services, referrals, insurance appeals processes, and suicide risk assessments.

About the JEM Foundation: JEM was Founded in honor of Jacob Edward Machovsky who was lost to suicide on January 11, 2016. We exist to honor him by helping others. At The JEM Foundation we all have one purpose, to **end youth suicide**. Mental illness and treatment can be complex, we believe in support for the individual along with the parents/caregivers. We are working diligently to enact legislation that will improve the lives of those living with a behavioral health condition. The Founders of JEM are certified Youth Mental Health First Aid instructors actively involved in training educators, community members, and others to reduce suicides throughout AZ. Along with training we

help families understand their insurance rights and file appeals when necessary. We present at statewide conferences, create sustainable relationships with local, state and national elected officials, and formed a statewide insurance parity coalition that has garnered national support.

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