



Legislation Text

File #: Res 1980-2009, **Version:** *

Res. No. 1980

Resolution calling upon the New York State Legislature to adopt S.1646 and A. 5659, legislation which would remove the December 31, 2009 sunset date in Timothy's Law, and thereby make mental health parity under health insurance plans permanent in New York State.

By Council Members Koppell, Brewer, Dickens, Fidler, Gennaro, Gentile, James, Weprin, and White, Jr.

Whereas, Timothy's Law, which was adopted into law in New York State as Chapter 748 of the Laws of 2006, assures coverage for professional medical services for mental illness for millions of New Yorkers and provides mental health insurance parity in New York; and

Whereas, Timothy's Law creates parity coverage for mental health services by classifying the limitation of such coverage as a discriminatory practice; and

Whereas, Timothy's Law prevents the unfair treatment of persons who suffer from mental illnesses and helps ensure their successful, complete recovery by prohibiting health insurance contracts from setting more restrictive limits or higher deductibles for diagnosis and treatment of these illnesses than for other conditions covered in the same contract; and

Whereas, Timothy's Law is scheduled to expire on December 31, 2009; and

Whereas, According to the National Institute of Mental Health, in any given year, over 50 million American adults, or 20% of the population, suffer from a mental disorder; and

Whereas, According to the U.S. Department of Health and Human Services, in a report entitled "Mental Health; A Report by the Surgeon General," over 20% of children have behavioral, emotional or mental health problems that may, without appropriate treatment, lead to school failure, alcohol or substance abuse, family disruption, violence, physical health problems or suicide; and

Whereas, According to the American Psychological Association, 50% to 70% of a physician's normal caseload consists of patients whose medical ailments are significantly related to psychological factors, and it is believed that if mental health care were available to such patients, there would be a decrease in the utilization of medical services and a significant cost savings; and

Whereas, A study conducted prior to the adoption of Timothy's Law by PricewaterhouseCoopers, estimated that Timothy's Law would only increase premiums by \$1.26 per employee per month; and

Whereas, On what would have been the 21st birthday of Timothy O'Clair, the individual who served as the inspiration of Timothy's Law, Governor David Paterson proposed making Timothy's Law permanent, in recognition of the important role the law plays in helping people remain healthy and productive residents of our State; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to adopt S.1646 and A. 5659, legislation which would remove the December 31, 2009 sunset date in Timothy's Law, and thereby make mental health parity under health insurance plans permanent in New York State.

MB
LS 7390
May 14, 2009