

Rebecca Stabenow

AMENDMENT NO. _____

Calendar No. _____

Purpose: To create a point of order against legislation that would reduce or eliminate access to mental health care.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. Con. Res. 3

Setting

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Refer

AMENDMENT N^o 0094

By

Stabenow

To:

S. con. Res. 3

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AMENDMENT INTRODUCED TO BE PROPOSED BY

Ms. Stabenow

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Viz:

- 1 At the end of title IV, add the following:
- 2 **SEC. 4__.** **POINT OF ORDER AGAINST REDUCING OR**
- 3 **ELIMINATING ACCESS TO MENTAL HEALTH**
- 4 **CARE.**
- 5 (a) POINT OF ORDER.—It shall not be in order in
- 6 the Senate to consider any bill, joint resolution, motion,
- 7 amendment, amendment between the Houses, or con-
- 8 ference report that the Director of the Congressional
- 9 Budget Office determines would reduce access to mental
- 10 health care and services or reduce the number of individ-

1 uals with mental illness enrolled in insurance coverage, rel-
2 ative to the Congressional Budget Office's March 2016
3 updated baseline, by means such as—

4 (1) eliminating or reducing Federal financial
5 assistance currently available to States under section
6 1905(y)(1) or 1905(z)(2) of the Social Security Act
7 (42 U.S.C. 1396d(y)(1), 1396d(z)(2)) or otherwise
8 eliminating or reducing mental health protections es-
9 tablished by the Affordable Care Act, including the
10 addition of mental health services to the list of serv-
11 ices covered under section 1937(b)(5) of the Social
12 Security Act (42 U.S.C. 1396u-7(b)(5)); or

13 (2) reducing the affordability of coverage estab-
14 lished by the Affordable Care Act's consumer protec-
15 tions, including—

16 (A) the expansion of mental health parity
17 and addiction equity law to individual health in-
18 surance coverage;

19 (B) the prohibition on discriminating
20 against enrollees with pre-existing conditions
21 such as mental illness;

22 (C) coverage of preventive services like de-
23 pression screenings without cost-sharing; and

24 (D) the establishment of mental health
25 services as an essential health benefit.

1 (b) WAIVER AND APPEAL.—Subsection (a) may be
2 waived or suspended in the Senate only by an affirmative
3 vote of three-fifths of the Members, duly chosen and
4 sworn. An affirmative vote of three-fifths of the Members
5 of the Senate, duly chosen and sworn, shall be required
6 to sustain an appeal of the ruling of the Chair on a point
7 of order raised under subsection (a).