149th GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 100**
SPONSOR:	**Representative Keeley**
DESCRIPTION:	**AN ACT TO AMEND TITLES 6, 16, 18, AND 31 OF THE DELAWARE CODE RELATING TO TREATMENT FOR SUBSTANCE ABUSE.**

Assumptions:

1. This Act would become effective 120 days after enactment.

2. This Act would provide persons with private and public insurance coverage that were denied substance abuse treatment, in whole or in part, be notified that they may be eligible to receive legal assistance from the Department of Justice in appealing the claim denial by the Department of Health and Social Services.

3. This Act would require the Insurance Commissioner to be responsible for providing the necessary language for the required written forms for the submission of grievances related to denial of benefits. This Act also requires the Medicaid program and private insurance carriers to provide notice to persons who are denied substance abuse treatment of the possibility of legal assistance through the Department of Justice to challenge their claim denials.

4. This Act would allow the Department of Justice to provide legal and expert assistance to persons seeking benefits from the state's Medicaid program, traditional health plans, or employer-funded benefit plans.

5. This Act would allow the Department of Justice to use Appropriated Special Funds (ASF) in its Consumer Protection Fund to offset the cost of providing medical and legal expertise for the purpose of assisting these persons. The Consumer Protection Fund is an Appropriated Special Fund (ASF Funds). Revenue for this fund is generated from settlements of consumer fraud. There would be a fiscal impact on the Consumer Protection Fund, but the extent of the impact is indeterminable due to the unknown levels of demand or utilization of the resources proposed in this Act.

6. This Act contains a sunset provision set to expire on January 1, 2020 to allow for review and assessment of the impacts of this legislation prior to making these provisions permanent.

Cost: Appropriated Special Funds (ASF)

Fiscal Year 2018:	Indeterminable
Fiscal Year 2019:	Indeterminable
Fiscal Year 2020:	Indeterminable

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Office of the Controller General