

## **MCA Definitions Related to Mental Illness in Adults**

### Applicable for Disability Insurance Coverage

**33-22-702. Definitions.** For purposes of this part, the following definitions apply: ...

- (4) (a) "Mental illness" means a clinically significant behavioral or psychological syndrome or pattern that occurs in a person and that is associated with:
- (i) present distress or a painful symptom;
  - (ii) a disability or impairment in one or more areas of functioning; or
  - (iii) a significantly increased risk of suffering death, pain, disability, or an important loss of freedom.
- (b) Mental illness must be considered as a manifestation of a behavioral, psychological, or biological dysfunction in a person.
- (c) Mental illness does not include:
- (i) a developmental disorder;
  - (ii) a speech disorder;
  - (iii) a psychoactive substance use disorder;
  - (iv) an eating disorder, except for bulimia and anorexia nervosa;
  - (v) an impulse control disorder, except for intermittent explosive disorder and trichotillomania; or
  - (vi) a severe mental illness as provided in 33-22-706.

**33-22-706. (Temporary) Coverage for severe mental illness -- definition.**

- (6) As used in this section, "severe mental illness" means the following disorders as defined by the American psychiatric association:
- (a) schizophrenia;
  - (b) schizoaffective disorder;
  - (c) bipolar disorder;
  - (d) major depression;
  - (e) panic disorder;
  - (f) obsessive-compulsive disorder; and
  - (g) autism. (Terminates June 30, 2009--sec. 14, Ch. 325, L. 2003.)

**33-22-706. (Effective July 1, 2009) Coverage for severe mental illness -- definition.**

- ... (6) As used in this section, "severe mental illness" means the following disorders as defined by the American psychiatric association:
- (a) schizophrenia;
  - (b) schizoaffective disorder;
  - (c) bipolar disorder;
  - (d) major depression;
  - (e) panic disorder;

- (f) obsessive-compulsive disorder; and
- (g) autism.

Under Title 45 - Crimes and Principles of General Liability

**45-2-101. General definitions.** Unless otherwise specified in the statute, all words must be taken in the objective standard rather than in the subjective, and unless a different meaning plainly is required, the following definitions apply in this title:

... (40) "Mentally defective" means that a person suffers from a mental disease or defect that renders the person incapable of appreciating the nature of the person's own conduct.

(41) "Mentally incapacitated" means that a person is rendered temporarily incapable of appreciating or controlling the person's own conduct as a result of the influence of an intoxicating substance.

Under Title 53 - Social Services and Institutions, Chapter 21 - Mentally III

**53-21-102. Definitions.** As used in this part, the following definitions apply:

... (9) (a) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions.

(b) The term does not include:

- (i) addiction to drugs or alcohol;
- (ii) drug or alcohol intoxication;
- (iii) mental retardation; or
- (iv) epilepsy.

(c) A mental disorder may co-occur with addiction or chemical dependency...

Under the Interstate Compact on Mental Health

**53-22-101. Enactment of compact.** The Interstate Compact on Mental Health as contained herein is hereby enacted into law and entered into by this state with all other jurisdictions legally joining therein in the form substantially as follows:

The contracting states solemnly agree that:

... (6) "mental illness" means mental disease to such extent that a person so afflicted requires care and treatment for his own welfare, the welfare of others, or of the community;

(7) "mental deficiency" means mental deficiency as defined by appropriate clinical authorities to such extent that a person so afflicted is incapable of managing himself and his affairs but shall not include mental illness as defined herein; ...