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STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
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TRISTA SPEER
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

January 27, 2025

TO: The Honorable Senator San Buenaventura, Chair
Senate Committee on Health and Human Services

FROM: Ryan I. Yamane, Director

SUBJECT: **SB 46 – RELATING TO INSURANCE.**

Hearing: Wednesday, January 29, 2025, Time 1:00 p.m.
Conference Room 225 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, provides comments, and requests an amendment.

PURPOSE: The purpose of the bill is to require all health insurers in the state, including Medicaid managed care programs, to cover annual mental health wellness examinations.

DHS appreciates the profound importance of whole-person health and the need for mental health to be an integral part of healthcare. To this end, all Med-QUEST Division contracted Managed Care Organization Health Plans, provide extensive mental health screenings and services at no cost to members. Mental health screenings should be and are incorporated into all wellness exams by a broad range of providers, including primary care providers. This promotes integrated care. Health plans also provide a broad range of more specialized mental health services. These currently available behavioral health services include:

- Ambulatory Mental Health Services that include crisis management;
- Medications and Medication Management;
- Psychiatric or psychological evaluation and treatment;

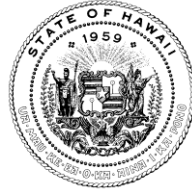
- Medically necessary alcohol and chemical dependency services; and
- Methadone management services.
- Inpatient Psychiatric Hospitalizations to include:
 - psychiatric services, and
 - substance abuse treatment services.

Additional behavioral health services for children and youth less than twenty-one (21) years old with a diagnosis of serious emotional behavioral disorders are eligible for additional behavioral health services with the Department of Health, Child and Adolescent Mental Health Division (CAMHD) Support for Emotional and Behavioral Development (SEBD) program.

Additional behavioral health services for adults aged twenty-one (21) years of age or older with a diagnosis of serious and persistent mental illness (SPMI) who are eligible for additional behavioral health services receive those services through the Community Care Services (CCS) program.

Given the services currently available provided through the Medicaid managed care plans and DOH programs, DHS respectfully requests that proposed requirements for Medicaid managed care programs be deleted from this bill.

Thank you for the opportunity to provide comments on this measure.



JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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NADINE Y. ANDO
DIRECTOR | KA LUNA HOOKELE

DEAN I. HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Health and Human Services
Wednesday, January 29, 2025
1:00 p.m.
State Capitol, Conference Room 225 & via Videoconference

On the following measure:
S.B. 46, RELATING TO INSURANCE

Chair San Buenaventura and Members of the Committee:

My name is Gordon Ito, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department offers comments on this bill.

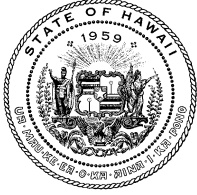
The purpose of this bill is to require all health insurers in the state, including Medicaid managed care programs, to cover annual mental health wellness examinations.

We note that it is unclear whether the amendments in sections 1 through 3 of this bill would be construed as "in addition to the essential health benefits" within the meaning of 45 Code of Federal Regulations (CFR) § 155.170(a), or subject to defrayment provisions under 45 CFR § 155.170(b) which apply to benefits "in addition to the essential health benefits."

For the Committee's information, Hawaii Revised Statutes section 23-51 provides, in part, that "[b]efore any legislative measure that mandates health insurance

coverage for specific health services, specific diseases, or certain providers of health care services as part of individual or group health insurance policies, [*sic*] can be considered, there shall be concurrent resolutions passed requesting the auditor to prepare and submit to the legislature a report that assesses both the social and financial effects of the proposed mandated coverage.”

Thank you for the opportunity to testify.



**STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY**
DEPARTMENT OF HEALTH - KA 'OIHANA OLAKINO

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

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ADMINISTRATOR

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January 27, 2025

To: House Committee on Health
Chair Gregg Takayama
Vice Chair Sue L. Keohokapu-Lee Loy

From: John C (Jack) Lewin MD, Administrator, SHPDA; and Senior Advisor to Governor Green
On Healthcare Innovation

Re: SB 46: RELATING TO INSURANCE

Position: SUPPORT

Testimony:

SB 46 AMENDS Chapter 431, Hawaii Revised Statutes to add a new section to article 10A to require each individual and group policy of accident and health or sickness insurance issued or renewed in the State after December 31, 2025, except for policies that only provide coverage for a specified disease or other limited benefit coverage as described in section 431:10A-607, shall provide coverage for an annual mental health wellness examination; provided that each covered annual mental health wellness examination: The examination shall be up to sixty minutes in duration; and exempt from any deductible or copayment provisions that may be in force in an applicable policy or contract.

The measure does not require a mental health examination for each beneficiary, but rather makes certain that this benefit is available to those who need it without restriction or risk of denial of the benefit.

SHPDA enthusiastically supports this bill and urges its passage.



SB46 Mental Health Assessments
COMMITTEE ON HEALTH AND HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Henry Aquino, Vice Chair
Wednesday, Jan 29, 2025: 1:00: Room 225 Videoconference

Hawaii Substance Abuse Coalition Supports SB46:

ALOHA CHAIR, VICE CHAIR, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

HSAC applauds the effort to mandate mental health wellness examinations by insurers for Hawaii coverage.

Including a substance abuse assessment in a mental health wellness examination is critical because substance abuse and mental health are closely interconnected. Here's why it matters:

1. **High Co-occurrence of Disorders:** Many people with mental health conditions also struggle with substance use disorders (SUD), and vice versa. Addressing both is essential for effective treatment.
2. **Substances Can Mask or Worsen Symptoms:** Alcohol or drug use can sometimes hide or amplify symptoms of mental health issues, making it harder to identify and treat the root causes without an assessment.
3. **Risk of Self-Medication:** Individuals with mental health conditions may use substances to cope with stress, anxiety, depression, or trauma, which can lead to dependence or addiction over time.
4. **Substance Use Impacts Treatment:** Active substance use can interfere with the effectiveness of mental health treatments, including therapy and medication. Understanding substance use patterns helps tailor interventions.
5. **Improved Holistic Care:** Including substance abuse assessments ensures a comprehensive understanding of an individual's overall well-being, leading to more integrated and effective care.

6. **Early Intervention:** Identifying substance use issues early during a mental health exam can prevent them from escalating into more severe problems, such as addiction or severe health complications.

7. **Physical Health Risks:** Substance use can have significant physical health consequences, such as liver damage, heart problems, or overdose, which may overlap with or worsen mental health conditions.

BY INCORPORATING SUBSTANCE ABUSE ASSESSMENTS, MENTAL HEALTH WELLNESS EXAMINATIONS PROVIDE A FULL PICTURE OF AN INDIVIDUAL'S MENTAL, EMOTIONAL, AND BEHAVIORAL HEALTH, ALLOWING FOR BETTER PREVENTION, INTERVENTION, AND RECOVERY SUPPORT.

*A mental health wellness examination is important for several reasons, as it focuses on evaluating emotional, psychological, and social well-being.
Here are the key benefits:*

1. **Early Detection of Issues:** Regular mental health check-ups can identify early signs of conditions like anxiety, depression, or stress-related disorders, allowing for timely intervention before issues escalate.

2. **Improved Overall Health:** Mental health is closely linked to physical health. Poor mental health can contribute to chronic conditions like heart disease or weakened immunity. Addressing mental wellness promotes overall well-being.

3. **Stress Management:** Routine examinations provide an opportunity to assess stress levels and develop coping mechanisms, helping individuals better manage life's challenges.

4. **Better Relationships:** Good mental health contributes to healthier relationships by improving communication, empathy, and emotional stability.

5. **Enhanced Productivity:** Addressing mental health issues can improve focus, decision-making, and productivity at work or in daily life.

6. **Reduction of Stigma:** Prioritizing mental health check-ups normalizes discussions about mental well-being, encouraging others to seek help and reducing societal stigma.

7. **Support During Life Transitions:** Life events such as career changes, loss of a loved one, or parenting can be overwhelming. A mental health evaluation provides guidance and support during these transitions.

8. **Holistic Self-Care:** Mental health check-ups complement physical health examinations, fostering a balanced approach to overall self-care.

REGULAR MENTAL HEALTH EVALUATIONS ENSURE THAT INDIVIDUALS RECEIVE THE CARE AND RESOURCES THEY NEED TO MAINTAIN A HEALTHY, FULFILLING LIFE.

We appreciate the opportunity to provide testimony and are available for questions.

Testimony of
John M. Kirimitsu
Counsel

Before:
Senate Committee on Health and Human Services
The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair

January 29, 2025
1:00 pm
Conference Room 225

Re: SB 46 Relating to Insurance

Chair, Vice Chair, and committee members, thank you for this opportunity to provide testimony on SB 46 mandating coverage for annual mental health wellness examinations.

Kaiser Permanente Hawaii would like to offer comments and request an amendment.

Kaiser appreciates the intent of this bill to increase access to mental health services, however, since this is a new mandate for coverage, an impact assessment report is statutorily required under Sections 23-51 and 23-52 of the Hawaii Revised Statutes to assess the *social and financial impact* of the proposed mandated coverage.

Kaiser is also concerned that this bill will use our precious behavioral health workforce in an inefficient manner that will exacerbate the challenges with access to mental health services, while failing to address the shortage of mental health providers. Should this bill move forward, Kaiser requests an amendment to allow a *qualified healthcare provider*, i.e., including a primary care provider, as opposed to only a mental health provider, to conduct the annual wellness exam. Upon request, a wellness exam is commonly performed by a healthcare provider, which may include a mental health assessment. Such assessments help screen for conditions such as depression and other mood disorders and are incorporated into an annual primary care wellness visit. After evaluation, a healthcare provider can then refer the patient to other healthcare specialists, i.e., mental health provider. This change is necessary, given the mental health workforce shortage in the state and would align SB 46 with the increased adoption of evidence-based, integrated primary and behavioral health care models, such as the Collaborative Care Model. Such models, which use primary care as the entry point, increase access, improve health outcomes, reduce disparities, and increase patient satisfaction, when used for a range of mental health and substance use conditions.

Therefore, to make best usage of our already strained resources (given our worsening shortage in Hawaii and nationwide of mental health resources), Kaiser requests the following amendments (deleted language is ~~stricken~~ and [bracketed] language is added):

(1) Page 1, lines 15-16, and Page 4, lines 20-21, should read as follows:

(B) Performed by a qualified ~~mental~~ health care provider; and

(2) Page 3, lines 11-16, and Page 6, lines 11-16, should read as follows:

"Qualified ~~mental health~~ [health] care provider" means:

(1) A physician licensed pursuant to chapter 453 ~~who is board certified in psychiatry or other mental health or behavioral health care areas;~~

(2) A physician assistant licensed pursuant to chapter 453 ~~who has training in psychiatry or mental health;~~

Thank you for the opportunity to comment.



January 29, 2025

The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

Re: SB 46 – RELATING TO INSURANCE

Dear Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to comment on SB 46, which will require all health insurers in the state, including Medicaid managed care programs, to cover annual mental health wellness examinations.

HMSA appreciates the efforts of this committee to increase access to critical mental health services for those who need it, however, we believe that a mandate is currently not necessary. We strongly believe that access to mental health services is important for the overall health and well-being of our community and seek to ensure that our members have access to necessary care.

Hawaii has an excellent network of primary care providers who are trained to perform annual mental health assessments and Hawaii's health plans already cover mental wellness exams and the follow up care that's needed. As a point of reference, HMSA plans have no limit to the number of outpatient and inpatient hospital visits and days that a patient with serious mental illness may receive in a calendar year.

In addition, we recognize our notable provider shortage and want to ensure that this requirement does not put additional, unnecessary, strain on our provider community.

We believe this measure also proposes to create a new mandated health benefit and we respectfully request that the auditor first conduct a study to assess the social and financial costs pursuant to HRS 23-51 and 23-52. Thank you for the opportunity to offer our comments on SB 46.

Sincerely,

Dawn Kurisu
Assistant Vice President
Community and Government Relations

SB-46

Submitted on: 1/26/2025 7:21:31 PM

Testimony for HHS on 1/29/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

It's indisputable that mental well-being is fundamentally tied to a person's overall health and general well-being. Experts have repeatedly affirmed this over the past two decades. Insurance companies, who have a fiduciary responsibility to make as much money as they can, have constantly refused to acknowledge or do less than the bare minimum to cover mental health costs. So, if they have to be dragged kicking and screaming for someone to get the best care they need, we might as well pull them as hard as we can. I support this bill

Aloha Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee:

My name is Breanna Zoey (she/they), and I am submitting this testimony in **strong support** of SB46, which requires that health insurers, including Medicaid managed care programs, provide coverage for annual mental health wellness examinations. This legislation is a crucial advancement in addressing the mental health needs of Hawaii's residents and promoting overall well-being.

Mental health is an integral component of overall health. Nationally, one in five adults experiences mental illness each year, yet many do not receive the necessary care due to financial barriers or lack of access. In Hawaii, the situation is particularly concerning. In February 2021, 37.6% of adults in Hawaii reported symptoms of anxiety or depression, and 17.9% were unable to access needed counseling or therapy.¹ Furthermore, 516,703 people in Hawaii reside in areas lacking sufficient mental health professionals, exacerbating the challenges in obtaining timely care.² (this last point is why we must also support SB1552 which seeks to better enable mental health telehealth delivery across state lines!)

Implementing coverage for annual mental health wellness examinations can lead to early detection and intervention, reducing the severity of mental health issues and associated costs. Preventative care in mental health is as vital as in physical health, enabling individuals to receive education, support, and referrals before conditions worsen. This proactive approach can decrease the burden on emergency services and improve quality of life.

Mandating coverage for annual mental health wellness examinations normalizes mental health care, reducing stigma and encouraging individuals to seek help. By eliminating financial barriers, this bill ensures that all residents, regardless of socioeconomic status, have improved access to essential mental health services and coverage. This is particularly important in Hawaii, where cultural stigmas and geographic isolation can impede access to care.

Passing SB46 is a significant step toward integrating mental and physical health care, ensuring that all Hawaii residents have the opportunity to thrive. This legislation acknowledges mental health care as a fundamental aspect of overall health and well-being.

I urge you to support this bill and demonstrate Hawaii's commitment to health equity and the wellness of all its residents. Even if some insurance companies say they already provide such coverage, we should codify it into law to help ensure access to this essential coverage continues into the future!

Thank you for the opportunity to submit this testimony.

Breanna Zoey (she/they)

¹ National Alliance on Mental Illness. 'Mental Health Conditions.' <https://www.nami.org/about-mental-illness/mental-health-conditions/>

² National Alliance on Mental Illness. 'Mental Health in Hawaii.' <https://www.nami.org/wp-content/uploads/2023/07/HawaiiStateFactSheet.pdf>

See also:

- Hawai'i State Department of Health. 'Hawai'i Mental Health Statistics.' <https://bh808.hawaii.gov/mental-health/>

- Hawai'i Health Data Warehouse. 'Mental Health.' <https://hhdw.org/health-topics/mental-health-2/>

- KFF. 'Mental Health and Substance Use State Fact Sheets: Hawaii.' <https://www.kff.org/statedata/mental-health-and-substance-use-state-fact-sheets/hawaii/>