THE SENATE THIRTIETH LEGISLATURE, 2019 STATE OF HAWAII

S.B. NO. 1465

JAN 2 4 2019

Sec. 1

A BILL FOR AN ACT

RELATING TO TREATMENT INSURANCE BENEFITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 431M:4, Hawaii Revised Statutes, is 2 amended to read as follows:

3 "§431M-4 Mental illness, alcohol and drug dependence
4 benefits. (a) Alcohol and drug dependence benefits shall be as
5 follows:

6	(1)	Detoxification services as a covered benefit under
7		this chapter shall be provided either in a hospital or
8		in a nonhospital facility that has a written
9		affiliation agreement with a hospital for emergency,
10		medical, and mental health support services. The
11		following services shall be covered under
12		detoxification services:
13		(A) Room and board;
14		(B) Diagnostic x-rays;
15		(C) Laboratory testing; and
16		(D) Drugs, equipment use, special therapies, and
17		supplies.



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1 Detoxification services shall be included as part of 2 the covered in-hospital services; 3 Alcohol or drug dependence treatment through in-(2) 4 hospital, nonhospital residential, or day treatment 5 substance abuse services as a covered benefit under this chapter shall be provided in a hospital or 6 7 nonhospital facility. Before a person qualifies to 8 receive benefits under this subsection, a qualified 9 physician, psychologist, licensed clinical social 10 worker, licensed marriage and family therapist, 11 licensed mental health counselor, or advanced practice 12 registered nurse shall determine that the person 13 suffers from alcohol or drug dependence, or both; 14 provided that the substance abuse services covered 15 under this paragraph shall include those services that 16 are required for licensure and accreditation. 17 Excluded from alcohol or drug dependence treatment 18 under this subsection are detoxification services and 19 educational programs to which drinking or drugged 20 drivers are referred by the judicial system and 21 services performed by mutual self-help groups;



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Alcohol or drug dependence outpatient services as a 1 (3) covered benefit under this chapter shall be provided 2 under an individualized treatment plan approved by a 3 qualified physician, psychologist, licensed clinical 4 social worker, licensed marriage and family therapist, 5 licensed mental health counselor, or advanced practice 6 registered nurse and shall be services reasonably 7 expected to produce remission of the patient's 8 9 condition. An individualized treatment plan approved by a licensed marriage and family therapist, licensed 10 mental health counselor, licensed clinical social 11 worker, or an advanced practice registered nurse for a 12 13 patient already under the care or treatment of a physician or psychologist shall be done in 14 consultation with the physician or psychologist; and 15 Substance abuse assessments for alcohol or drug 16 (4) 17 dependence as a covered benefit under this section for 18 a child facing disciplinary action under section 19 302A-1134.6 shall be provided by a qualified physician, psychologist, licensed clinical social 20 21 worker, advanced practice registered nurse, or



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1 certified substance abuse counselor. The certified
2 substance abuse counselor shall be employed by a
3 hospital or nonhospital facility providing substance
4 abuse services. The substance abuse assessment shall
5 evaluate the suitability for substance abuse treatment
6 and placement in an appropriate treatment setting.

7 (b) Mental illness benefits.

8 Covered benefits for mental health services set forth (1)9 in this subsection shall be limited to coverage for 10 diagnosis and treatment of mental disorders. All 11 mental health services shall be provided under an 12 individualized treatment plan approved by a physician, 13 psychologist, licensed clinical social worker, 14 licensed marriage and family therapist, licensed 15 mental health counselor, advanced practice registered 16 nurse, or licensed dietitian treating eating 17 disorders, and must be reasonably expected to improve 18 the patient's condition. An individualized treatment 19 plan approved by a licensed clinical social worker, 20 licensed marriage and family therapist, licensed 21 mental health counselor, advanced practice registered



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1		nurse, or a licensed dietitian treating eating
2		disorders, for a patient already under the care or
3		treatment of a physician or psychologist shall be done
4		in consultation with the physician or psychologist;
5	(2)	In-hospital and nonhospital residential mental health
6		services as a covered benefit under this chapter shall
7		be provided in a hospital or a nonhospital residential
8		facility. The services to be covered shall include
9		those services required for licensure and
10		accreditation;
11	(3)	Mental health partial hospitalization as a covered
12		benefit under this chapter shall be provided by a
13		hospital or a mental health outpatient facility. The
14		services to be covered under this paragraph shall
15		include those services required for licensure and
16		accreditation; and
17	(4)	Mental health outpatient services shall be a covered
18		benefit under this chapter.
19	(C)	Assisted community treatment benefits. Covered
20	benefits	for assisted community treatment benefits set forth in
21	this subs	ection shall cover the costs incurred by:



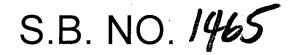
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1	(1)	<u>A licensed psychiatrist or other mental health</u>
2		professional, including an advanced practice
3		registered nurse, in preparing a certificate of
4		examination to accompany a petition for a hearing for
5		assisted community treatment pursuant to section
6		334-123(b); and
7	(2)	A licensed psychiatrist in conducting a psychiatric
8		examination or presenting the findings of the
9		examination at a hearing for assisted community
10		treatment pursuant to section 334-126(h)."
11	SECT	'ION 2. New statutory material is underscored.
12	SECT	ION 3. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

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Mental Health and Alcohol and Substance Use Disorder Treatment Insurance Benefits; Assisted Community Treatment

Description:

Requires mental health insurers to cover certain expenses related to petitions and hearings for obtaining assisted community treatment for persons.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

