

JAN 24 2019

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# 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.



1 Detoxification services shall be included as part of  
2 the covered in-hospital services;

3 (2) Alcohol or drug dependence treatment through in-  
4 hospital, nonhospital residential, or day treatment  
5 substance abuse services as a covered benefit under  
6 this chapter shall be provided in a hospital or  
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;



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



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 (1) Covered benefits for mental health services set forth  
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



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 subsection shall cover the costs incurred by:



- 1        (1) A licensed psychiatrist or other mental health
- 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        SECTION 2. New statutory material is underscored.

12        SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Kal Rhoad  
~~Don~~ D.C. Fuchs-Dagana  
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# S.B. NO. 1465

**Report Title:**

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.*

