
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, and
4 assisted community treatment benefits. (a) Alcohol and drug
5 dependence benefits shall be as 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) Covered benefits for assisted community treatment
20 benefits set forth in this subsection shall cover the costs
21 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. (a) There is established an assisted community
12 treatment benefits task force within the department of health
13 for administrative purposes to consist of the following members:

- 14 (1) The director of the department of health or the
15 director's designee, who shall serve as the co-chair
16 of the task force;
- 17 (2) The director of the department of human services or
18 the director's designee, who shall serve as the co-
19 chair of the task force;

- 1 (3) A representative from a homelessness advocacy group,
2 to be nominated jointly by the co-chairs of the task
3 force;
- 4 (4) A representative from a mental health advocacy group,
5 to be nominated jointly by the co-chairs of the task
6 force; and
- 7 (5) A representative from a substance abuse treatment
8 advocacy group, to be nominated jointly by the co-
9 chairs of the task force.
- 10 (b) The task force shall investigate the payment and costs
11 for assisted community treatment. The investigation shall
12 include, but not be limited to:
- 13 (1) The cost of obtaining a licensed psychiatrist or other
14 mental health professional to prepare a certificate of
15 examination to accompany a petition for a hearing for
16 assisted community treatment;
- 17 (2) The cost of conducting a psychiatric examination or
18 presenting of the findings of the examination at a
19 hearing for assisted community treatment;
- 20 (3) The delivery mechanisms for assisted community
21 treatment, including mechanisms for petitioning for



1 assisted community treatment for indigent or homeless
2 populations; and

3 (4) Possible grant mechanisms to ensure the needs of
4 individuals and families are adequately met.

5 (c) The task force shall submit a report of its findings
6 and recommendations, including any proposed legislation, to the
7 legislature no later than twenty days prior to the convening of
8 the regular session of 2020.

9 (d) The task force shall serve until it has accomplished
10 the purpose of this Act or twenty days prior to the convening of
11 the regular session of 2020, whichever occurs first.

12 (e) The members of the task force shall serve without
13 compensation, but shall be reimbursed by the department of
14 health for necessary expenses, including travel expenses,
15 incurred for service on the task force. No member of the task
16 force shall be made subject to section 84-17, Hawaii Revised
17 Statutes, solely because of that member's participation on the
18 task force. The task force shall be exempt from chapter 92,
19 Hawaii Revised Statutes.

20 SECTION 3. Section 23-51, Hawaii Revised Statutes, shall
21 not apply to this Act.



- 1 SECTION 4. New statutory material is underscored.
- 2 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

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

Description:

Requires health insurance policies and plan contracts to cover certain expenses related to petitions and hearings for persons obtaining assisted community treatment. Establishes task force to study assisted community treatment benefit costs. (SB1465 HD1)

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

