

JAN 19 2023

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature recognizes that the State has a
2 duty to protect and improve the health and environment of the
3 people. The legislature finds a number of state residents
4 suffer from depression. The legislature also finds that
5 according to an article published in Current Neuropharmacology,
6 the use of ketamine is a valid antidepressant option for the
7 treatment of treatment-resistant depression and has rapid
8 antidepressant effects.

9 The purpose of this Act is to require medicaid and
10 insurance coverage of ketamine therapy.

11 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
12 amended by adding a new section to part I to be appropriately
13 designated and to read as follows:

14 "§346- Coverage of ketamine therapy. Beginning on
15 January 1, 2024, the State's medicaid programs shall provide
16 coverage for per cent of the costs of ketamine therapy to



1 treat depression in qualifying patients, as determined by
2 qualified psychiatrists or other mental health professionals."

3 SECTION 3. Chapter 431, Hawaii Revised Statutes, is
4 amended by adding a new section to part I of article 10A to be
5 appropriately designated and to read as follows:

6 "§431:10A- Coverage of ketamine therapy. Each
7 individual or group accident and health or sickness insurance
8 policy issued or renewed in this State on or after January 1,
9 2024, shall provide to the policyholder and individuals covered
10 under the policy coverage for per cent of the costs of
11 ketamine therapy to treat depression in qualifying patients, as
12 determined by qualified psychiatrists or other mental health
13 professionals."

14 SECTION 4. Chapter 432, Hawaii Revised Statutes, is
15 amended by adding a new section to part VI of article I to be
16 appropriately designated and to read as follows:

17 "§432:1- Coverage of ketamine therapy. Each hospital
18 or medical service plan contract issued or renewed in this State
19 on or after January 1, 2024, shall provide to the member and
20 individuals covered under the plan contract coverage for per
21 cent of the costs of ketamine therapy to treat depression in



1 qualifying patients, as determined by qualified psychiatrists or
2 other mental health professionals."

3 SECTION 5. Section 432D-23, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§432D-23 Required provisions and benefits.**

6 Notwithstanding any provision of law to the contrary, each
7 policy, contract, plan, or agreement issued in the State after
8 January 1, 1995, by health maintenance organizations pursuant to
9 this chapter, shall include benefits provided in sections
10 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
11 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
12 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,
13 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, and
14 [~~431:10A-134~~] 431:10A-_____, and chapter 431M."

15 SECTION 6. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ _____ or so much
17 thereof as may be necessary for fiscal year 2023-2024 and the
18 same sum or so much thereof as may be necessary for fiscal year
19 2024-2025 for costs arising from the coverage of ketamine
20 therapy required or authorized under section 2 of this Act.



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1 The sums appropriated shall be expended by the department
2 of human services for the purposes of this Act.

3 SECTION 7. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 8. This Act shall take effect on July 1, 2023.

6

INTRODUCED BY: *Kurt Zuerlein*



S.B. NO. 279

Report Title:

Health; Insurance; Medicaid; Ketamine Therapy; Appropriations

Description:

Requires medicaid and insurance coverage of ketamine therapy to treat depression. Appropriates moneys for costs resulting from medicaid coverage ketamine therapy.

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