
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 that 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 private
10 insurance to cover ketamine therapy to treat depression.

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 for ketamine therapy. Beginning on
15 January 1, 2025, the State's medicaid programs shall provide
16 coverage for per cent of the costs of ketamine therapy to
17 treat depression in qualifying patients, as determined by



1 licensed psychiatrists, medical doctors, or other medical
2 professionals authorized to prescribe ketamine."

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 for ketamine therapy. Each
7 individual or group policy of accident and health or sickness
8 insurance policy issued or renewed in this State on or after
9 January 1, 2025, shall provide to the policyholder and
10 individuals covered under the policy coverage for _____ per cent
11 of the costs of ketamine therapy to treat depression in
12 qualifying patients, as determined by licensed psychiatrists,
13 medical doctors, or other medical professionals authorized to
14 prescribe ketamine."

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

18 "§432:1- Coverage for ketamine therapy. Each individual
19 or group hospital or medical service plan contract issued or
20 renewed in this State on or after January 1, 2025, shall provide
21 to the member and individuals covered under the plan contract



1 coverage for _____ per cent of the costs of ketamine therapy to
2 treat depression in qualifying patients, as determined by
3 licensed psychiatrists, medical doctors, or other medical
4 professionals authorized to prescribe ketamine."

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

7 **"§432D-23 Required provisions and benefits.**

8 Notwithstanding any provision of law to the contrary, each
9 policy, contract, plan, or agreement issued in the State after
10 January 1, 1995, by health maintenance organizations pursuant to
11 this chapter, shall include benefits provided in sections
12 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
13 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
14 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,
15 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, and
16 [~~431:10A-134,~~] 431:10A-, and chapter 431M."

17 SECTION 6. In accordance with section 9 of article VII of
18 the Hawaii State Constitution and sections 37-91 and 37-93,
19 Hawaii Revised Statutes, the legislature has determined that the
20 appropriations contained in H.B. No. _____, will cause the state
21 general fund expenditure ceiling for fiscal year 2024-2025 to be



1 exceeded by \$ or per cent. In addition, the
 2 appropriation contained in this Act will cause the general fund
 3 expenditure ceiling for fiscal year 2024-2025 to be further
 4 exceeded by \$ or per cent. The combined total
 5 amount of general fund appropriations contained in only these
 6 two Acts will cause the state general fund expenditure ceiling
 7 for fiscal year 2024-2025 to be exceeded by
 8 \$ or per cent. The reasons for exceeding the
 9 general fund expenditure ceiling are that:

- 10 (1) The appropriation made in this Act is necessary to
- 11 serve the public interest; and
- 12 (2) The appropriation made in this Act meets the needs
- 13 addressed by this Act.

14 SECTION 7. There is appropriated out of the general
 15 revenues of the State of Hawaii the sum of \$ or so
 16 much thereof as may be necessary for fiscal year 2024-2025 for
 17 costs arising from the coverage of ketamine therapy required or
 18 authorized under section 2 of this Act.

19 The sum appropriated shall be expended by the department of
 20 human services for the purposes of this Act.



1 SECTION 8. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 9. This Act shall take effect on July 1, 2040;
4 provided that section 2 of this Act shall take effect upon
5 approval of the Hawaii medicaid state plan by the Centers for
6 Medicare and Medicaid Services.



Report Title:

Health Insurance; Medicaid; Mandated Coverage; Ketamine Therapy;
Appropriation; Expenditure Ceiling

Description:

Requires Medicaid and private insurance coverage for ketamine
therapy to treat depression. Appropriates funds. Effective
7/1/2040. (HD1)

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

