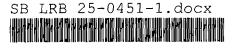
JAN 17 2025

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 legislature also recognizes that according to ketamine
- 10 clinics throughout the State, intravenous ketamine therapy is
- 11 typically conducted once every few weeks, in a controlled
- 12 environment with psychologist present. This form of treatment
- increases neuroplasticity quicker than nasal spray (esketamine)
- 14 treatment, which carries a higher risk of addiction due to
- 15 frequent dosing, typically twice per week, and administration of
- 16 those doses outside of a controlled environment. However,
- 17 patients who attempt to obtain intravenous ketamine therapy



- 1 often cannot proceed, due to the high cost of the treatment,
- 2 which is approximately \$700 per session. Mandating insurance
- 3 coverage for intravenous ketamine therapy would allow more
- 4 patients to access the treatment.
- 5 The legislature notes that according to the department of
- 6 human services, the use of ketamine for treatment-resistant
- 7 depression is an "off-label" use, and that federal medicaid
- 8 funds may not be spent for that used. Clinics have also noted
- 9 that it will be difficult to obtain approval from the United
- 10 State Food and Drug Administration for the use of ketamine for
- 11 treatment-resistant depression, as long-established generic
- 12 treatments are already in the market, and approval from the
- 13 Administration typically requires financial backing from a
- 14 pharmaceutical company.
- Nevertheless, the legislature believes that in light of
- 16 Hawaii's mental health crisis, insurance should cover
- 17 intravenous ketamine therapy to treat treatment-resistant
- 18 depression.
- 19 Accordingly, the purpose of this Act is to:
- 20 (1) Require medicaid and private insurance to cover
- intravenous ketamine therapy to treat depression; and



1	(2) Appropriate state moneys to the state medicaid program
2	to facilitate coverage of intravenous ketamine
3	therapy.
4	SECTION 2. Chapter 346, Hawaii Revised Statutes, is
5	amended by adding a new section to part I to be appropriately
6	designated and to read as follows:
7	"§346- Coverage for intravenous ketamine therapy.
8	Beginning on January 1, 2026, the State's medicaid programs
9	shall provide coverage for per cent of the costs of
10	intravenous ketamine therapy to treat depression in qualifying
11	patients, as determined by licensed psychiatrists, medical
12	doctors, or other medical professionals authorized to prescribe
13	ketamine."
14	SECTION 3. Chapter 431, Hawaii Revised Statutes, is
15	amended by adding a new section to part I of article 10A to be
16	appropriately designated and to read as follows:
17	"§431:10A- Coverage for intravenous ketamine therapy.
18	Each individual or group policy of accident and health or
19	sickness insurance policy issued or renewed in this State on or
20	after January 1, 2026, shall provide to the policyholder and
21	individuals covered under the policy coverage for per cent

- 1 of the costs of intravenous ketamine therapy to treat depression
- 2 in qualifying patients, as determined by licensed psychiatrists,
- 3 medical doctors, or other medical professionals authorized to
- 4 prescribe ketamine."
- 5 SECTION 4. Chapter 432, Hawaii Revised Statutes, is
- 6 amended by adding a new section to part VI of article I to be
- 7 appropriately designated and to read as follows:
- 8 "§432:1- Coverage for intravenous ketamine therapy.
- 9 Each individual or group hospital or medical service plan
- 10 contract issued or renewed in this State on or after January 1,
- 11 2026, shall provide to the member and individuals covered under
- 12 the plan contract coverage for per cent of the costs of
- 13 intravenous ketamine therapy to treat depression in qualifying
- 14 patients, as determined by licensed psychiatrists, medical
- 15 doctors, or other medical professionals authorized to prescribe
- 16 ketamine."
- 17 SECTION 5. Section 432D-23, Hawaii Revised Statutes, is
- 18 amended to read as follows:
- 19 "§432D-23 Required provisions and benefits.
- 20 Notwithstanding any provision of law to the contrary, each
- 21 policy, contract, plan, or agreement issued in the State after



- 1 January 1, 1995, by health maintenance organizations pursuant to
- 2 this chapter, shall include benefits provided in sections
- **3** 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
- 4 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
- 5 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,
- 6 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, and
- 7 [431:10A-134,] 431:10A- , and chapter 431M."
- **8** SECTION 6. There is appropriated out of the general
- 9 revenues of the State of Hawaii the sum of \$ or so
- 10 much thereof as may be necessary for fiscal year 2025-2026 and
- 11 the same sum or so much thereof as may be necessary for fiscal
- 12 year 2026-2027 for costs arising from the coverage of
- 13 intravenous ketamine therapy required or authorized under
- 14 section 2 of this Act.
- The sums appropriated shall be expended by the department
- 16 of human services for the purposes of this Act.
- 17 SECTION 7. Statutory material to be repealed is bracketed
- 18 and stricken. New statutory material is underscored.
- 19 SECTION 8. This Act shall take effect on July 1, 2025;
- 20 provided that section 2 of this Act shall take effect upon

- 1 approval of the Hawaii medicaid state plan by the Centers for
- 2 Medicare and Medicaid Services.

3

INTRODUCED BY: Kuttack

Report Title:

Health Insurance; Medicaid; Mandated Coverage; Ketamine Therapy; Appropriations

Description:

Requires Medicaid and private insurance coverage for intravenous ketamine therapy to treat depression. Appropriates moneys.

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