

A Bill for an Act Relating to Mental Health.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 431M, Hawaii Revised Statutes (HRS), mandates that certain levels of mental health and alcohol and drug abuse treatment benefits be included in health insurance coverage. The law was enacted by Act 202, Session Laws of Hawaii (SLH) 1988, and was to sunset on July 1, 1994. However, this date was extended twice by the legislature until it was finally repealed by Act 239, SLH 2002, thereby making chapter 431M permanent.

In 1999, the coverage requirements under chapter 431M, HRS, were amended by Act 121, SLH 1999, to require parity in mental illness benefits. Act 121 mandated that the coverage provided for serious mental illnesses be the same as that provided for other medical or surgical conditions. Act 121 was to sunset on July 1, 2005, a date that was amended by Act 243, SLH 2000, to June 30, 2003.

The legislature finds that the parity provision of section 431M-5, HRS, should be made permanent, consistent with the legislative Act making chapter 431M, HRS, permanent. Accordingly, the purpose of this Act is to make the requirement for parity in serious mental illness insurance benefits permanent. In addition, this Act clarifies the definition of "serious mental illness" and adds to its definition, bipolar types I and II.

SECTION 2. Section 431M-1, Hawaii Revised Statutes, is amended by amending the definition of "serious mental illness" to read as follows:

""Serious mental illness" means schizophrenia, schizo-affective disorder,¹ bipolar ~~[mood disorder,]~~ types I and II, as defined in the most recent version of the Diagnostic and Statistical Manual of the American Psychiatric Association, which is of sufficient severity to result in substantial interference with the activities of daily living."

SECTION 3. Act 121, Session Laws of Hawaii 1999, as amended by Act 243, section 8(2), Session Laws of Hawaii 2000, is amended by amending section 6 to read as follows:

~~"SECTION 6. This Act shall take effect on July 1, 1999; provided that insurance, health, or service plan contracts subject to the terms of this Act and issued or renewed after December 31, 1999, shall be amended to be consistent with this Act[; and provided that this Act shall be repealed on June 30, 2003]."~~

SECTION 4. Act 243, Session Laws of Hawaii 2000, is amended by amending section 11 to read as follows:

~~"SECTION 11. This Act shall take effect on July 1, 2001; provided that[; (1) Sections] sections 6, 7, and 8 shall take effect upon approval[; and (2) Sections 6 and 7 shall be repealed on June 30, 2003; and sections 431:2-216 and 431M-5, Hawaii Revised Statutes, are reenacted in the form in which they read on the day before approval of this Act]."~~

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on June 29, 2003.
(Approved June 24, 2003.)

Note

1. Prior to amendment “and” appeared here.