

JAN 23 2006

A BILL FOR AN ACT

RELATING TO REFERRAL TO ALCOHOL AND DRUG ABUSE SCREENING AND
COUNSELING.

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

1 SECTION 1. The legislature finds that screening
2 individuals for substance abuse, counseling those who show risky
3 behavior, and referring people to substance abuse treatment if
4 needed are remarkably effective techniques to reduce alcohol and
5 drug problems. The purpose of this Act is not to establish a
6 mandated covered health insurance benefit. Rather, the purpose
7 of this Act is to ensure that a referral to appropriate alcohol
8 and drug abuse screening and counseling is offered to a patient
9 when an examining physician in a primary care or emergency room
10 setting has good reason to suspect substance abuse by the
11 patient.

12 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
13 amended by adding a new section to article 10A to be
14 appropriately designated and to read as follows:

15 "§431:10A- Alcohol and drug abuse screening and
16 counseling in emergency room or routine primary care. Any
17 physician who is reimbursed under any employer group health



1 policy, contract, plan, or agreement, issued or renewed in this
2 State after December 31, 2006, shall offer to refer a patient
3 being examined in a primary care or emergency room setting to
4 alcohol and drug abuse screening and counseling when the
5 physician has good reason to suspect alcohol or drug abuse by
6 the patient. The patient shall have the right to accept or
7 refuse the offer of referral."

8 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 **"§432:1- Alcohol and drug abuse screening and**
12 **counseling in emergency room or routine primary care. Any**
13 **physician who is employed by or reimbursed under any each**
14 **individual and group hospital or medical service plan, policy,**
15 **contract, or agreement, issued or renewed in this State after**
16 **December 31, 2006, shall offer to refer a patient being examined**
17 **in a primary care or emergency room setting to alcohol and drug**
18 **abuse screening and counseling when the physician has good**
19 **reason to suspect alcohol or drug abuse by the patient. The**
20 **patient shall have the right to accept or refuse the offer of**
21 **referral."**



1 SECTION 4. Chapter 432D Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§432D- Alcohol and drug abuse screening and counseling
5 in emergency room or routine primary care. Any physician who is
6 employed by or reimbursed under any health maintenance
7 organization after December 31, 2006, shall offer to refer a
8 patient being examined in a primary care or emergency room
9 setting to alcohol and drug abuse screening and counseling when
10 the physician has good reason to suspect alcohol or drug abuse
11 by the patient. The patient shall have the right to accept or
12 refuse the offer of referral."

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.

15

INTRODUCED BY: For memo
By Request

SB2094

Report Title:

Referral for Drug/Alcohol Abuse Screening and Counseling

Description:

Requires a physician to offer to refer a patient being examined in a primary care or emergency room setting to alcohol and drug abuse screening and counseling when the physician has good reason to suspect substance abuse by the patient. Clarifies that patient may accept or refuse the offer.

