
A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

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

1 SECTION 1. Chapter 334, Hawaii Revised Statutes, is
2 amended by adding three new sections to be appropriately
3 designated and to read as follows:

4 "§334- Adult mental health services; time with patients.

5 The department shall limit the number of hours devoted to
6 individual patients to thirty units per month and shall assign
7 case managers to patients based upon the Diagnostic and
8 Statistical Manual of Mental Health Disorders, DSM-IV, of the
9 American Psychiatric Association.

10 §334- Crisis intervention services; staff requirements.

11 The department shall employ appropriately trained professionals
12 and paraprofessionals, including social workers licensed under
13 chapter 467E, who are certified in suicide prevention and
14 substance and alcohol abuse to determine the proper referral of
15 patients, to provide emergency crisis intervention services
16 through its crisis hotline.

17 §334- Assertive community treatment program. (a) There
18 is established under the department of health an assertive



1 community treatment program that includes teams that are staffed
2 with trained professionals, paraprofessionals, and specialists
3 to provide individualized counseling and treatment to the
4 patient.

5 (b) The mission of the assertive community treatment
6 program shall be to provide comprehensive case management and
7 treatment services according to the program for assertive
8 community treatment model which manages the symptoms of mental
9 illness by focusing on the establishment and linkage of a
10 supportive services network in a cultural context that promotes
11 community integration and allows for family and social
12 understanding of mental illness."

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

16 "[~~serious~~] Severe mental illness" means a mental disorder
17 consisting of at least one of the following: schizophrenia,
18 schizo-affective disorder, bipolar types I and II, obsessive
19 compulsive disorder, dissociative disorder, delusional disorder,
20 [~~and~~] major depression, major depressive disorder, anxiety
21 disorder, and borderline personality disorder, as defined in the
22 most recent version of the Diagnostic and Statistical Manual of



1 the American Psychiatric Association and which is of sufficient
2 severity to result in substantial interference with the
3 activities of daily living."

4 SECTION 3. Section 431M-4, Hawaii Revised Statutes, is
5 amended by amending subsections (a) and (b) to read as follows:

6 "(a) The covered benefit under this chapter shall not be
7 less than thirty days of in-hospital services per year. Each
8 day of in-hospital services may be exchanged for two days of
9 nonhospital residential services, two days of partial
10 hospitalization services, or two days of day treatment services.
11 Visits to a physician, psychologist, licensed [elinieal] social
12 worker, marriage and family therapist, licensed mental health
13 counselor, or advanced practice registered nurse shall not be
14 less than thirty visits per year to hospital or nonhospital
15 facilities or to mental health outpatient facilities for day
16 treatment or partial hospitalization services. Each day of
17 in-hospital services may also be exchanged for two outpatient
18 visits under this chapter; provided that the patient's condition
19 is such that the outpatient services would reasonably preclude
20 hospitalization. The total covered benefit for outpatient
21 services in subsections (b) and (c) shall not be less than
22 twenty-four visits per year; provided that coverage of twelve of



1 the twenty-four outpatient visits shall apply only to the
2 services under subsection (c). The other covered benefits under
3 this chapter shall apply to any of the services in subsection
4 (b) or (c). In the case of alcohol and drug dependence
5 benefits, the insurance policy may limit the number of treatment
6 episodes but may not limit the number to less than two acute
7 treatment episodes per lifetime. Nothing in this section shall
8 be construed to limit [~~serious~~] severe mental illness benefits.

9 (b) Alcohol and drug dependence benefits shall be as
10 follows:

11 (1) Detoxification services as a covered benefit under
12 this chapter shall be provided either in a hospital or
13 in a nonhospital facility that has a written
14 affiliation agreement with a hospital for emergency,
15 medical, and mental health support services. The
16 following services shall be covered under
17 detoxification services:

- 18 (A) Room and board;
- 19 (B) Diagnostic x-rays;
- 20 (C) Laboratory testing; and
- 21 (D) Drugs, equipment use, special therapies, and
22 supplies.



1 Detoxification services shall be included as part of
2 the covered in-hospital services, but shall not be
3 included in the acute treatment episode limitation, as
4 specified in subsection (a);

5 (2) Alcohol or drug dependence treatment through
6 in-hospital, nonhospital residential, or day treatment
7 substance abuse services as a covered benefit under
8 this chapter shall be provided in a hospital or
9 nonhospital facility. Before a person qualifies to
10 receive benefits under this subsection, a qualified
11 physician, psychologist, licensed [~~clinical~~] social
12 worker, marriage and family therapist, licensed mental
13 health counselor, or advanced practice registered
14 nurse shall determine that the person suffers from
15 alcohol or drug dependence, or both; provided that the
16 substance abuse services covered under this paragraph
17 shall include those services that are required for
18 licensure and accreditation and shall be included as
19 part of the covered in-hospital services as specified
20 in subsection (a). Excluded from alcohol or drug
21 dependence treatment under this subsection are
22 detoxification services and educational programs to



1 which drinking or drugged drivers are referred by the
2 judicial system and services performed by mutual
3 self-help groups;

4 (3) Alcohol or drug dependence outpatient services as a
5 covered benefit under this chapter, in addition to
6 acute substance abuse and alcohol treatment episodes
7 requiring hospitalization, shall be provided under an
8 individualized treatment plan approved by a qualified
9 physician, psychologist, licensed [~~clinical~~] social
10 worker, marriage and family therapist, licensed mental
11 health counselor, or advanced practice registered
12 nurse and shall be services reasonably expected to
13 produce remission of the patient's condition. An
14 individualized treatment plan approved by a marriage
15 and family therapist, licensed mental health
16 counselor, licensed [~~clinical~~] social worker, or an
17 advanced practice registered nurse for a patient
18 already under the care or treatment of a physician or
19 psychologist shall be done in consultation with the
20 physician or psychologist. Services covered under
21 this paragraph shall be included as part of the
22 covered outpatient services as specified in subsection



1 (a) [~~and~~]. The crisis substance abuse and alcohol
2 treatment program shall extend for a period of thirty
3 to sixty days for patients known to abuse substances,
4 including individual and group counseling; and

5 (4) Substance abuse assessments for alcohol or drug
6 dependence as a covered benefit under this section for
7 a child facing disciplinary action under section
8 302A-1134.6 shall be provided by a qualified
9 physician, psychologist, licensed [~~clinical~~] social
10 worker, advanced practice registered nurse, or
11 certified substance abuse counselor. The certified
12 substance abuse counselor shall be employed by a
13 hospital or nonhospital facility providing substance
14 abuse services. The substance abuse assessment shall
15 evaluate the suitability for substance abuse treatment
16 and placement in an appropriate treatment setting."

17 SECTION 4. Section 431M-5, Hawaii Revised Statutes, is
18 amended by amending subsection (c) to read as follows:

19 "(c) A health insurance plan shall not impose increased
20 rates, terms, or conditions including service limits and
21 financial requirements, on [~~serious~~] severe mental illness
22 benefits, if similar rates, terms, or conditions are not applied



1 to services for other medical or surgical conditions. This
2 chapter shall not apply to individual contracts; provided
3 further that this chapter shall not apply to QUEST medical plans
4 under the department of human services until July 1, 2002."

5 SECTION 5. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2011-2012 to
8 establish a community care crisis center to assist with day
9 programs for designated patients who are discharged from
10 inpatient care.

11 The sums appropriated shall be expended by the department
12 of health for the purposes of this Act.

13 SECTION 6. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 7. This Act shall take effect upon its approval;
16 provided that section 5 shall take effect on July 1, 2011.



Report Title:

Mental Health; Appropriation

Description:

Adds crisis substance abuse and alcohol treatment as a covered benefit. Changes the term "serious mental illness" to "severe mental illness" and amends the definition to include additional disorders. Requires the Department of Health (DOH) employ trained professionals, paraprofessionals, and social workers to provide certain services through its crisis hotline. Limits the number of hours of adult mental health services treatment per patient. Establishes an assertive community treatment program under DOH. Appropriates funds to establish a community care crisis center. (HB615 HD1)

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