

JAN 18 2013

A BILL FOR AN ACT

RELATING TO MENTAL HEALTH.

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

- 1 SECTION 1. The purpose of this Act is to:
- 2 (1) Specify that each day of in-patient hospital services
- 3 may be exchanged for one day of outpatient mental
- 4 health services, for a total covered benefit of thirty
- 5 days per year for mental health services;
- 6 (2) Require the total covered benefits for mental health
- 7 services to include up to twenty-four outpatient
- 8 visits per year, as authorized by a physician,
- 9 psychologist, licensed clinical social worker,
- 10 marriage and family therapist, licensed mental health
- 11 counselor, or advanced practice registered nurse; and
- 12 (3) Specify that if needed, an additional six covered
- 13 visits may be used for outpatient mental health
- 14 services; provided that coverage of the additional six
- 15 visits shall require a medical necessity determination
- 16 recommended by the treating licensed health care
- 17 provider and approved by the health plan's medical
- 18 director.



1 SECTION 2. Section 431M-4, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

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



1 clinical social worker, marriage and family therapist, licensed
2 mental health counselor, or advanced practice registered nurse.
3 If needed, an additional six covered visits may be used for
4 outpatient mental health services; provided that coverage of the
5 additional six visits shall require a medical necessity
6 determination pursuant to section 432E-1.4. The total covered
7 benefit for outpatient services in [~~subsections~~] subsection (b)
8 [~~and (e)~~] shall not be less than twenty-four visits per year[~~+~~
9 ~~provided that coverage of twelve of the twenty four outpatient~~
10 ~~visits shall apply only to the services under subsection (e)~~].
11 The other covered benefits under this chapter shall apply to any
12 of the services in subsection (b) or (c). In the case of
13 alcohol and drug dependence benefits, the insurance policy may
14 limit the number of treatment episodes but may not limit the
15 number to less than two treatment episodes per lifetime.
16 Nothing in this section shall be construed to limit serious
17 mental illness benefits."

18 SECTION 3. Section 432E-1.4, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) For contractual purposes, a health intervention shall
21 be covered if it is an otherwise covered category of service,
22 not specifically excluded, recommended by the treating licensed



1 health care provider, and determined by the health plan's
2 medical director to be medically necessary as defined in
3 subsection (b). For purposes of outpatient mental health
4 benefits under section 431M-4(c), the total covered benefit
5 shall include up to twenty-four outpatient visits per year, as
6 authorized by a physician, psychologist, licensed clinical
7 social worker, marriage and family therapist, licensed mental
8 health counselor, or advanced practice registered nurse;
9 provided that if needed, an additional six covered visits may be
10 used for outpatient mental health services. Coverage of the
11 additional six visits shall require a medical necessity
12 determination recommended by the treating licensed health care
13 provider and approved by the health plan's medical director. A
14 health intervention may be medically indicated and not qualify
15 as a covered benefit or meet the definition of medical
16 necessity. A managed care plan may choose to cover health
17 interventions that do not meet the definition of medical
18 necessity."

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

Rosely H. Park

Shiranne Chun Oatland



Report Title:

Mental Health; Mental Illness Benefits; Insurance

Description:

Specifies that each day of in-patient hospital services may be exchanged for one day of outpatient mental health services, for a total covered benefit of thirty days per year for mental health services. Requires the total covered benefits for mental health services to include up to twenty-four authorized outpatient visits per year. Specifies that if needed, an additional six covered visits may be used for outpatient mental health services; provided that coverage of the additional six visits shall require a medical necessity determination.

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