

JAN 15 2025

A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1 SECTION 1. Chapter 431, Hawaii Revised Statutes, is
2 amended by adding a new section to article 10A, part I, to be
3 appropriately designated and to read as follows:

4 "§431:10A- Annual mental health wellness examination
5 coverage. (a) Each individual and group policy of accident and
6 health or sickness insurance issued or renewed in the State
7 after December 31, 2025, except for policies that only provide
8 coverage for a specified disease or other limited benefit
9 coverage as described in section 431:10A-607, shall provide
10 coverage for an annual mental health wellness examination;
11 provided that each covered annual mental health wellness
12 examination:

13 (1) Shall be:

14 (A) Up to sixty minutes in duration;

15 (B) Performed by a qualified mental health care
16 provider; and



- 1 (C) Exempt from any deductible or copayment
- 2 provisions that may be in force in an applicable
- 3 policy or contract; and
- 4 (2) May include:
- 5 (A) Observation;
- 6 (B) A behavioral health screening;
- 7 (C) Education and consultation on healthy lifestyle
- 8 changes;
- 9 (D) Referrals for ongoing treatment, mental health
- 10 services, and other necessary supports;
- 11 (E) Discussion of potential options for medication;
- 12 (F) Age-appropriate screenings or observations to
- 13 understand a covered person's mental health
- 14 history, personal history, and mental or
- 15 cognitive state; and
- 16 (G) If appropriate, relevant adult input through
- 17 screenings, interviews, and questions.
- 18 (b) The coverage required by this section shall:
- 19 (1) Be at least as extensive as coverage for a physical
- 20 examination; and



1 (2) Comply with the requirements of the Mental Health
2 Parity and Addiction Equity Act of 2008.

3 (c) Each accident and health or sickness insurer shall
4 reimburse any qualified mental health care provider complying
5 with this section for all costs associated with the coverage
6 required by this section.

7 (d) For purposes of this section:

8 "Mental health wellness examination" means an examination
9 to identify a covered person's behavioral or mental health needs
10 and any appropriate resources for treatment.

11 "Qualified mental health care provider" includes:

12 (1) A physician licensed pursuant to chapter 453, who is
13 board certified in psychiatry or another mental or
14 behavioral health care area;

15 (2) A physician assistant licensed pursuant to chapter
16 453, who is trained in psychiatry or mental health;

17 (3) A psychologist licensed pursuant to chapter 465;

18 (4) A clinical social worker licensed pursuant to
19 chapter 467E;

20 (5) A marriage and family therapist licensed pursuant to
21 chapter 451J;



- 1 (6) A mental health counselor licensed pursuant to
- 2 chapter 453D;
- 3 (7) A substance abuse counselor certified pursuant to
- 4 section 321-193(10); or
- 5 (8) An advanced practice registered nurse licensed
- 6 pursuant to chapter 457, who holds an accredited
- 7 national certification in an advanced practice
- 8 registered nurse psychiatric specialization."

9 SECTION 2. Chapter 432, Hawaii Revised Statutes, is
 10 amended by adding a new section to article I to be appropriately
 11 designated and to read as follows:

12 "§432:1- Annual mental health wellness examination
 13 coverage. (a) Each individual or group hospital or medical
 14 service plan contract issued or renewed in this State after
 15 December 31, 2025, shall provide coverage for an annual mental
 16 health wellness examination; provided that each covered annual
 17 mental health wellness examination:

- 18 (1) Shall be:
- 19 (A) Up to sixty minutes in duration;
- 20 (B) Performed by a qualified mental health care
- 21 provider; and



1 (C) Exempt from any deductible or copayment
2 provisions that may be in force in any contract;
3 and

4 (2) May include:

5 (A) Observation;

6 (B) A behavioral health screening;

7 (C) Education and consultation on healthy lifestyle
8 changes;

9 (D) Referrals for ongoing treatment, mental health
10 services, and other necessary supports;

11 (E) Discussion of potential options for medication;

12 (F) Age-appropriate screenings or observations to
13 understand a covered person's mental health
14 history, personal history, and mental or
15 cognitive state; and

16 (G) If appropriate, relevant adult input through
17 screenings, interviews, and questions.

18 (b) The coverage required by this section shall:

19 (1) Be at least as extensive as coverage for a physical
20 examination; and



1 (2) Comply with the requirements of the Mental Health
2 Parity and Addiction Equity Act of 2008.

3 (c) Each mutual benefit society shall reimburse any
4 qualified mental health care provider complying with this
5 section for all costs associated with the coverage required by
6 this section.

7 (d) For purposes of this section:

8 "Mental health wellness examination" means an examination
9 to identify a covered person's behavioral or mental health needs
10 and any appropriate resources for treatment.

11 "Qualified mental health care provider" includes:

12 (1) A physician licensed pursuant to chapter 453, who is
13 board certified in psychiatry or another mental or
14 behavioral health care area;

15 (2) A physician assistant licensed pursuant to chapter
16 453, who is trained in psychiatry or mental health;

17 (3) A psychologist licensed pursuant to chapter 465;

18 (4) A clinical social worker licensed pursuant to
19 chapter 467E;

20 (5) A marriage and family therapist licensed pursuant to
21 chapter 451J;



- 1 (6) A mental health counselor licensed pursuant to
- 2 chapter 453D;
- 3 (7) A substance abuse counselor certified pursuant to
- 4 section 321-193(10); or
- 5 (8) An advanced practice registered nurse licensed
- 6 pursuant to chapter 457, who holds an accredited
- 7 national certification in an advanced practice
- 8 registered nurse psychiatric specialization."

9 SECTION 3. Section 432D-23, Hawaii Revised Statutes, is
 10 amended to read as follows:

11 "**§432D-23 Required provisions and benefits.**

12 Notwithstanding any provision of law to the contrary, each
 13 policy, contract, plan, or agreement issued in the State after
 14 January 1, 1995, by health maintenance organizations pursuant to
 15 this chapter, shall include benefits provided in sections
 16 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,
 17 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
 18 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,
 19 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, and
 20 [~~431:10A-134~~], 431:10A- , and chapter 431M."



1 SECTION 4. The coverage required under sections 1, 2, and
2 3 of this Act shall apply to all plans under Medicaid managed
3 care programs in the State.

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

6 SECTION 6. This Act shall take effect on July 1, 2025;
7 provided that sections 1, 2, and 3 shall apply to all policies,
8 contracts, plans, or agreements issued or renewed in the State
9 after December 31, 2025; provided further that section 4 shall
10 take effect upon approval of the Hawaii medicaid state plan by
11 the Centers for Medicare and Medicaid Services.

12

INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'BSS', is written over a horizontal line.

S.B. NO. 46

Report Title:

Health Insurance; Mandated Coverage; Annual Mental Health
Wellness Examination

Description:

Requires all health insurers in the state, including Medicaid
managed care programs, to cover annual mental health wellness
examinations.

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not legislation or evidence of legislative intent.*

