

ACT 111

H.B. NO. 653

A Bill for an Act Relating to Substance Abuse Treatment Insurance Benefits.

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

SECTION 1. Section 431M-1, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Qualified” means:

- (1) Having skill in the diagnosis or treatment of substance use disorders, based on a practitioner’s credentials, including but not limited to professional education, clinical training, licensure, board or other certification, clinical experience, letters of reference, other professional qualifications, and disciplinary action; or
- (2) Being a licensed physician, psychologist, or clinical social worker, or advanced practice registered nurse, and be certified pursuant to chapter 321.”

SECTION 2. Section 431M-1, Hawaii Revised Statutes, is amended by amending the definitions of “alcohol or drug dependence outpatient services,” “substance abuse services,” and “treatment episode” to read as follows:

““Alcohol or drug dependence outpatient services” means alcohol or drug dependence nonresidential treatment provided on an ambulatory basis to patients with alcohol or drug dependence problems that includes interventions prescribed and performed by qualified physicians, psychologists, clinical social workers, or advanced practice registered nurses [~~who have been certified pursuant to chapter 321~~]. This definition shall not imply a broadening of the scope of or granting of prescriptive authority privileges, except as otherwise allowed pursuant to chapter 457.

“Substance abuse services” means the provision of medical, psychological, nursing, counseling, or therapeutic services in response to a treatment plan for alcohol or drug dependence or both which shall include, when appropriate, a combination of aftercare and individual, group, and family counseling services provided by [~~certified substance abuse~~] qualified staff.

“Treatment episode” means one admission to an accredited hospital or nonhospital facility, or office of a qualified physician, psychologist, clinical social worker, or advanced practice registered nurse [~~certified pursuant to chapter 321~~] for treatment of alcohol or drug dependence, or both, as stipulated in a prescribed treatment plan and which would generally produce remission in those who complete the treatment. The prescribed treatment plan may include the provision of substance abuse services in more than one location and may include in-hospital, nonhospital residential, day treatment, or alcohol or drug dependence outpatient services, or any combination thereof. An admission for only detoxification services shall not constitute a treatment episode.”

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

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

- (1) Detoxification services as a covered benefit under this chapter shall be provided either in a hospital or in a nonhospital facility which has a written affiliation agreement with a hospital for emergency, medical, and mental health support services. The following services shall be covered under detoxification services:
 - (A) Room and board;
 - (B) Diagnostic x-rays;

(C) Laboratory testing; and

(D) Drugs, equipment use, special therapies, and supplies.

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

- (2) Alcohol or drug dependence treatment through in-hospital, nonhospital residential, or day treatment substance abuse services as a covered benefit under this chapter shall be provided in a hospital or nonhospital facility. Before a person qualifies to receive benefits under this subsection, a qualified physician, psychologist, clinical social worker, or advanced practice registered nurse [~~certified pursuant to chapter 321~~] shall determine that the person suffers from alcohol or drug dependence, or both. The substance abuse services covered under this paragraph shall include those services which are required for licensure and accreditation, and shall be included as part of the covered in-hospital services as specified in subsection (a). Excluded from alcohol or drug dependence treatment under this subsection are detoxification services and educational programs to which drinking or drugged drivers are referred by the judicial system, and services performed by mutual self-help groups; and
- (3) Alcohol or drug dependence outpatient services as a covered benefit under this chapter shall be provided under an individualized treatment plan approved by a qualified physician, psychologist, clinical social worker, or advanced practice registered nurse [~~certified pursuant to chapter 321~~] and must be services reasonably expected to produce remission of the patient's condition. An individualized treatment plan approved by a clinical social worker or an advanced practice registered nurse for a patient already under the care or treatment of a physician or psychologist shall be done in consultation with the physician or psychologist. Services covered under this paragraph shall be included as part of the covered outpatient services as specified in subsection (a).''

SECTION 4. Section 431M-1, Hawaii Revised Statutes, is amended by repealing the definition of "certified substance abuse staff".

[~~"Certified substance abuse staff" means professionals and paraprofessionals with current full certification as substance abuse counselors or program administrators under chapter 321, physicians who hold a current American Society of Addiction Medicine certificate or who are board certified in addiction psychiatry, and psychologists who hold a current certification from the American Psychological Association College of Professional Psychology in the treatment of alcohol and other psychoactive substance use disorders."~~]

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

SECTION 6. This Act shall take effect on July 1, 2001; provided that insurance, health, or service plan contracts subject to the terms of this Act and issued or renewed after December 31, 2001, shall be amended to be consistent with this Act.

(Approved May 18, 2001.)