

Insurance and Real Estate Committee

HOUSE FAVORABLE REPORT

Bill No.: HB-5256

AN ACT CONCERNING REQUIRED HEALTH INSURANCE COVERAGE FOR
Title: DETOXIFICATION AND SUBSTANCE ABUSE SERVICES.

Vote Date: 3/10/2020

Vote Action: Joint Favorable

PH Date: 2/27/2020

File No.:

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SPONSORS OF BILL:

Insurance and Real Estate Committee

REASONS FOR BILL:

This bill will change required health insurance coverage for detoxification and substance abuse services.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed

NATURE AND SOURCES OF SUPPORT:

Kimberly Beauregard, President, CEO, Intercommunity, Inc stated. necessary services but require insurance reimbursement or grant funding equal to their cost. InterCommunity's detox Medicaid reimbursement rate is \$100 below the cost of care delivery. With 87% of InterCommunity's patients on Medicaid and another 9% either on Medicare or without any insurance, InterCommunity's losses are unsustainable. Although commercial insurances reimburse at a sustainable rate after deductibles are met, only 4% of detox patients at InterCommunity have commercial insurances. We know that addiction does not discriminate. While there are certainly other factors at play, it is clear that this small percentage of private pay does not capture the need of many individuals with private insurance. By requiring health insurance plans to cover detox services and additional services, it will ensure that more people in Connecticut have access to well needed services. Too many plans have high deductibles or co-pays, limits on treatment stays and length and create other barriers to treatment. Deductibles are particularly problematic and often result in providers like Intercommunity not being paid. We are a true safety net provider for detox services since we

accept people in need 24 hours a day 7 days a week, regardless of their ability to pay. However, this has become increasingly challenging with our payor mix. Despite the increased attention to opioid overdoses, according to the Chief Medical Examiner Connecticut accidental intoxication deaths jumped 18% to hit a record high 1,200 in 2019. Unfortunately, too many residents are not getting the services they need in a timely manner. Providing additional coverage for these necessary services will provide more people with opportunities to get the necessary treatment.

CT Counseling Association feel people with mental illness have long been stigmatized in our society. This is even more true for those suffering with addiction. This stigma is plainly evident in the different standards of insurance reimbursement provided to people with mental illness. We ask “why should mental illness be treated differently than any other illness?”. MAT and counseling could help address the extraordinary costs of human suffering, hardship on families and communities, and burden to our medical and social services system. These interventions are an investment in the future, as they would help prevent the costlier interventions after addiction emerges. It is also critically important that proper substance abuse services and detox services are offered and made available. However currently, third party payors are not mandated to reimburse detox and substance abuse services. H.B. 5256 would eliminate this barrier, thereby enabling people to seek the help they so desperately need.

Kathy Flaherty, Executive Director, CT Legal Rights Project stated last year, this legislature passed, on a bipartisan basis, legislation aimed at ensuring health insurers treat mental health conditions the same way any other health conditions are treated. That mental health parity law is now effective. What some might call mandate of HB 5256 simply ensure that insurers subject to regulation by the State of Connecticut cover these behavioral health services.

Kelly McConney Moore, American Civil Liberties Union of CT expressed that today, there is widespread recognition that addiction is, fundamentally, an illness to be treated. In fact, opioid use disorder is a disability protected under the Americans with Disabilities Act.¹ Due process of law requires that a person not be criminally punished for conduct that is the result of an illness. Moreover, addressing the public health problem of drug addiction through criminal law is inappropriate, ineffective, a major driver of violations of civil liberties, and a massive contributor to mass incarceration. Connecticut is currently in the midst of an opioid epidemic which is worsening, not improving.² Connecticut residents are more likely to die from unintentional drug overdose than a motor vehicle accident.³ We need to respond with public health and epidemic responses to combat the rising number of deaths. 5256 recognize that drug use and addiction disorders are, indeed, health concerns, rather than criminal problems, and require them to be addressed as such by health insurers. Community-based solutions often cost far less, and they use strategies that work, including individualized treatment plans with, long-term counseling and support.

Jerry Schwab, President & CEO, High Watch Recovery Center Recovery is a true continuum of care. Individuals start in detox, if needed, then progress to inpatient residential care, partial hospitalization care, and then outpatient care. Insurers cover this continuum haphazardly and inconsistently. Patients need access to the full continuum and this bill assures access to it. At High Watch, we follow up with our guests after they have discharged at six different intervals. At each of these intervals, those guests who stay with us longer have

improved rates of recovery. At both one month and one year after discharge, those who have been with us fewer than thirty days relapse at twice the rate of those who have been with us for thirty days or longer. Not only does this save more lives, but it lowers the long-term cost of recovery as fewer relapses lead to fewer readmissions. In addition to addressing minimum lengths of stay and treatment sessions, we deeply appreciate that the bill addresses the issue of Medical necessity. This is of tremendous benefit to individuals in recovery. Medical necessity currently determined by the insurer largely in a vacuum. While some insurers provide excellent coverage and are fair and reasonable in determining medical necessity, there are too many insurers that either provide too few days of coverage or who deny medical necessity at an excessive and alarming rate using unrealistic criteria. We urge the Committee to support HB 5256 because we believe that individuals struggling through alcoholism and substance use disorders should be given the best chance at recovery without relapse. Extended residential and outpatient care represent that chance for success.

Ben Shaiken, Manager , Advocacy & Public Policy at CT Community Nonprofit Alliance

we believe the language in H.B. 5256 as drafted could be more restrictive than current statutes. In particular, we are concerned that Subsections (2) through (6) of both Sections 1 and 2 of the bill would impose annual or lifetime caps on various substance abuse treatment services. Recovery is a lifelong process that requires ample support and tools to the individual seeking treatment. Placing caps and annual limits on treatment options may leave people without the tools and support they need to be successful. Connecticut should ensure that people receive the best care possible without caps and limitation.

Patricia Rehmer, Senior Vice President, Behavioral Health Network, Hartford

Healthcare We applaud the provisions of the proposal which would provide for family counseling and intervention services, as well as for minimum lifetime coverage levels for detoxification and substance use services. However, we have serious concerns about section 1(2) and section 2(2) of the bill, which would cap inpatient hospital and nonhospital detoxification services at seven days per admission. Clinicians need to be able to provide individualized treatment. Most clinicians' treatment recommendations are supported by the American Society of Addiction Medicine's evidence-based criteria for placement, continued stay and transfer/discharge of patients across a broad spectrum of patients with addiction and co-occurring conditions. Some detoxification cases are more complicated and simply require more time. It would be clinically dangerous to set an arbitrary cutoff for any medical condition that involves hospitalization. Insurance coverage of these services should not set an arbitrary cap either.

The following individuals submitted testimony in support of this bill:

Ronald Abell
Sally Arbott
Anna Assad
Annie Atwood
Nicole Baier
Aleska Bembnista
Rhiannon Benedetto
Tammy Binnette
Linda Bishop
Michele Brabant
Jennifer Bradshaw

Juliana Bregler
Deborah Brown
Colleen Buckley
Jennifer Cederberg
Shah Chirayu
Aprille Coutss
Sharon Dean
Terri-Lynne DeFino
Matt DeSimone
Emily Dionne
Traci Eburg
Emily Elander
Melissa Florio
Anna Marie Fraioli
Allie Franco
Donald Franco
Heather Franklin
Cynthia Fusco
Mihirkumar Gosrani
Melissa Grandinetti
Michael Grube
Morgan Grube
Brianna Herbest
DelVina Herbest
Thomas Herr
Cheryl Hill
Julie Hulse
Leah Hulse
Alyssa Kassimis
Christopher Keller
Jennifer Kelley
Jennifer Kocenko
Lynn Kovack
Tracey Kurjiaka
Patrice Lago, RN EMT
Sandra Lasher-Pelton
Susan Leonard
Tiffani Little
Strongbow Lone Eagle
Mandi MacDonald
Frank Manni
Cassandra Marden
Scott Martin
Mariah Martirano
Erin Mccauley
Ann Metzger
Rebecca Miller
Patrick Mitchell
Anthony Morrissey

Maddy Morrissey
Heidi Norcross
Michelle Palerno
Amy Plude
Elizabeth Poller
Sachs Randi
Hailey Ranson
Cathy Renzulli-Valente
Ted Roman
Terry Sachs
Joy Scozzafava
Alison Sherman
Makayla Showalter
Melissa Silva
Lone Eagle Sonny
Melissa Storms
Leanne Swanson Pinedo
Nadine Tannous
Amanda Tarallo
Tyler Ulisse
Austin Ulisse
Naomi Ulisse
Casey Villa
Miranda Villa
Sharon Villa
Brittany Waldron
Danielle Walker
Donovan Ward
Margaret Watt
Lisa Winjum
Patricia Zelno

NATURE AND SOURCES OF OPPOSITION:

Michelle Rakebrand, Asst Counsel for CBIA CBIA broadly opposes any healthcare mandate bills without a complete cost-benefit analysis being conducted prior to passage. Health benefit mandates pose an enormous cost to all Connecticut residents. The business community looks forward to working with this committee in an effort to lower healthcare costs, while maintaining the highest quality of care.

Reported by: Diane Kubeck

Date: April 13, 2020