**HOUSE BILL No. XXXX**

January 19, 2019, Introduced by Reps. \_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_\_ and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled

"The insurance code of 1956,"

(MCL 500.100 to 500.8302) by amending section 3425 (MCL 500.3425).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

Sec. 3425. (1) Except as otherwise provided in this subsection, an insurer that delivers, issues for delivery, or renews in this state a health insurance policy shall provide coverage for intermediate and outpatient care for substance use disorder. This section does not apply to limited classification policies.

(2) Charges, terms, and conditions for the coverage required to be provided under subsection (1) must not be less favorable than the maximum prescribed for any other comparable service.

(3) The insurer shall not reduce the coverage required to be provided under subsection (1) by terms or conditions that apply to other items of coverage in a health insurance policy, group or individual. This subsection does not prohibit an insurer from providing in a health insurance policy deductibles and copayment provisions for coverage for intermediate and outpatient care for substance use disorder.

**(4) AN INSURER THAT PROVIDES PRESCRIPTION MEDICATION COVERAGE OF MEDICATIONS FOR THE TREATMENT OF SUBSTANCE USE DISORDER:**

**(A)SHALL NOT IMPOSE ANY PRIOR AUTHORIZATION REQUIREMENTS ON ANY PRESCRIPTION MEDICATION APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION (FDA) FOR THE TREATMENT OF SUBSTANCE USE DISORDERS.**

**(B) SHALL NOT IMPOSE ANY STEP THERAPY REQUIREMENTS BEFORE THE INSURER WILL AUTHORIZE COVERAGE FOR A PRESCRIPTION MEDICATION APPROVED BY THE FDA FOR THE TREATMENT OF SUBSTANCE USE DISORDERS.**

**(C) SHALL PLACE ALL PRESCRIPTION MEDICATIONS APPROVED BY THE FDA FOR THE TREATMENT OF SUBSTANCE USE DISORDERS ON THE LOWEST TIER OF THE DRUG FORMULARY DEVELOPED AND MAINTAINED BY THE INSURER.**

**(D) SHALL NOT EXCLUDE COVERAGE FOR ANY PRESCRIPTION MEDICATION APPROVED BY THE FDA FOR THE TREATMENT OF SUBSTANCE USE DISORDERS AND ANY ASSOCIATED COUNSELING OR WRAPAROUND SERVICES ON THE GROUNDS THAT SUCH MEDICATIONS AND SERVICES WERE COURT ORDERED.**

 **(5)**~~(4)~~ As used in this section:

(a) "Intermediate care" means the use, in a full 24-hour residential therapy setting, or in a partial, less than 24-hour, residential therapy setting, of any or all of the following therapeutic techniques, as identified in a treatment plan for individuals physiologically or psychologically dependent on or abusing alcohol or drugs:

(i) Chemotherapy.

(ii) Counseling.

(iii) Detoxification services.

(iv) Other ancillary services, such as medical testing, diagnostic evaluation, and referral to other services identified in the treatment plan.

(b) "Limited classification policy" means an accident only policy, a limited accident policy, a travel accident policy, or a specified disease policy.

(c) "Outpatient care" means the use, on both a scheduled and a nonscheduled basis, of any or all of the following therapeutic techniques, as identified in a treatment plan for individuals physiologically or psychologically dependent on or abusing alcohol or drugs:

(i) Chemotherapy.

(ii) Counseling.

(iii) Detoxification services.

(iv) Other ancillary services, such as medical testing, diagnostic evaluation, and referral to other services identified in the treatment plan.

(d) "Substance use disorder" means that term as defined in section 100d of the mental health code, 1974 PA 258, MCL 330.1100d.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.