

Division of Insurance

Michael Conway, Commissioner of Insurance

Behavioral Health Coverage in Commercial Insurance: ASAM Utilization and MAT Coverage

Behavioral Health Transformation Task Force
September 23, 2021



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Department of
Regulatory Agencies
Division of Insurance

Behavioral Health Enforcement Strategies

Market Conduct
Investigations

Complaint Intake
and Resolution

Legislative
Implementation
and Regulations

Annual Parity
Compliance Testing
of Health Benefit
Plans

Behavioral Health
Administration
Alignment

Data Collection and
Analysis



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SB20-007 Concerning Treatment for Substance Use Disorders

- Requirements on the utilization of the most recent American Society of Addiction Medicine (ASAM) criteria, at minimum, for the placement, medical necessity, and utilization management determinations for the treatment of substance use disorder (SUD).
- Annual medication-assisted treatment (MAT) reporting to the Commissioner of Insurance:
 - The number of in-network providers who are federally licensed to prescribe MAT for SUD, including buprenorphine
 - The number of prescriptions filled by enrollees for MAT for SUD
 - The carrier's efforts to ensure sufficient capacity for and access to MAT for SUD

What is the American Society of Addiction Medicine?

- ASAM is a professional medical society representing physicians, clinicians and associated professionals in the field of addiction medicine
- It creates one national set of comprehensive guidelines for SUD care, also known as the “**ASAM Criteria**,” for treating patients with SUD and co-occurring conditions over various levels of care
- Oversight and revision

Regulation 4-2-64 Concerning Mental Health Parity in Health Benefit Plans

- ASAM utilization incorporated into parity regulation
 - Utilization of the ASAM in accordance with generally accepted standards of care
 - Modifications to ASAM and rationale for such
 - Use of other treatment criteria in addition to ASAM and rationale for such
 - Application of ASAM at various levels of care and review
 - Reviewer training and preparedness to assess ASAM medical determinations
 - Claims handling

Regulation 4-2-64 Concerning Mental Health Parity in Health Benefit Plans

- ASAM data reporting requirements effective June 1, 2021
- Reporting submitted to the Division annually
 - 9/1/21 for Individual and Small Group
 - 2/1/22 for Large Group and Student Health plans



Regulation 4-2-75 Concerning Requirements for Reporting Medication-Assisted Treatment Coverage

- Provider Data Collection
 - Includes opioid use disorder (OUD), medicaid to treat OUD (MOUD), and opioid treatment programs (OTPs)
 - Providers by county and by type
 - Authorization to prescribe methadone
- Enrollee/Patient Data
 - Unique patients being seen and by provider type
 - RXs filled
- Medical Management
 - Prior authorization, step therapy, or utilization management protocols for SUD and OUD,
 - RX formulary design
 - Coverage for specific medications that treat SUD and OUD

Regulation 4-2-75 Concerning Requirements for Reporting Medication-Assisted Treatment Coverage

- Strategies used to ensure enrollee access to OTPs, including assistance with transportation, telehealth services, take-home dosing, and complementary behavioral health services
- Prior authorization requirements and appeals processes
- Utilization management protocols for each FDA-approved medication for OUD
- Recruitment and retainment of providers in-network
- Network adequacy and credentialing

Regulation 4-2-75 Concerning Requirements for Reporting Medication-Assisted Treatment Coverage

- Effective June 15, 2021
- Reporting submitted to the Division annually
 - October 1, 2021 for 2020 calendar year
 - February 1st every year following for previous calendar year
- Applicable to carriers and third-party administrators



Policy Options



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Questions?

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