

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

The date following each state indicates the last time information for the state was reviewed/changed.

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
AL (11/23)	§§ 27-20A-1 to 27-20A-4 Treatment of alcoholism only, mandated offering of coverage to groups.	No provision
AK (11/23)	§ 21.42.365 Group contract shall provide coverage for treatment of alcohol or drug abuse to specified limits.	No provision
AZ (11/23)	No provision	No provision
AR (11/23)	§ 23-79-139 Mandated offering of care and treatment of alcohol and other drug dependency for group policies.	No provision
CA (11/23)	Ins. § 10123.6 Mandated offer of coverage for treatment of alcoholism for group disability policies. Ins. § 10123.14 Self-insured welfare benefit plan may provide coverage for the treatment of alcoholism.	Ins. §§ 10123.14; 10123.6 May provide coverage for the treatment of nicotine use.
CO (11/23)	§§ 10-16-104 (5.5); 10-16-104.7; 25-27.6-102 Health benefit plan must provide coverage for treatment of substance use disorder no less extensive than coverage provided for physical illness. The coverage must not be limited based on whether the treatment is voluntary, or court ordered. Plan may limit benefits to those medically necessary or rendered by a provider affiliated with the plan. § 10-16-104 The coverage required must include preventive health-care services for unhealthy alcohol use screening for adults.	§ 10-16-104 The coverage required must include preventive health-care services for tobacco use screening of adults and tobacco cessation interventions by primary care providers.
CT (11/23)	§ 38a-533 Applicable group and individual policies must provide coverage for treatment of alcoholism or medical complications thereof.	§ 38a-530f Applicable group policies delivered, issued, renewed, amended, or continued shall provide coverage for tobacco use intervention and cessation counseling for any woman who consumes tobacco.

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
DE (11/23)	18 Del C. §§ 3343; 3578 Carriers shall provide coverage for drug and alcohol dependencies in all health benefit plans.	Ins. Bulletin 72 (September 30, 2014) The Patient Protection and Affordable Care Act requires private group plans (large and small) not grandfathered; individual private plans not grandfathered; and plans offered through State Health Insurance Marketplaces to cover preventive services for tobacco cessation.
DC (11/23)	§§ 31-3101 to 31-3111 Shall provide coverage up to specified limits for medical and psychological treatment of drug or alcohol abuse.	No provision
FL (11/23)	§ 627.669 Mandated offer of coverage for necessary treatment and care of substance abuse in group plans.	No provision
GA (11/23)	§ 33-24-28.3 Must provide specific benefits for the treatment of alcoholism or drug addiction in accident and sickness policies.	No provision
HI (11/23)	§§ 431M-2 to 431M-7 Mandated offer of coverage for alcohol or drug dependence treatment.	No provision
ID (11/23)	No provision	No provision
IL (11/23)	215 ILCS 5/367d.1 Group policies may not exclude coverage for the treatment of alcoholism or drug abuse.	215 ILCS 5/356z.21 Every insurer that amends, delivers, issues, or renews group accident and health policies providing coverage for hospital or medical treatment or services on an expense-incurred basis shall offer, for an additional premium and subject to the insurer's standard of insurability, optional coverage, or optional reimbursement of up to \$500 annually for a tobacco use cessation program for a person enrolled in the plan who is 18 years of age or older.
IN (11/23)	§ 27-8-5-15.6 If cover substance abuse or chemical dependency, may not impose treatment limitations different than for other medical conditions if part of a treatment for mental illness.	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
IA (11/23)	§ 514C.27 A group policy shall provide coverage to insured veterans for treatment of mental illness and substance abuse.	No provision
KS (11/23)	§§ 40-2,105; 40-2,105a; 40-2258 Policies must provide coverage for substance abuse of drugs or alcohol to specified limits.	No provision
KY (11/23)	§§ 304.18-130 to 304.18-180; 304.32-158; 304.38-197 Treatment for alcoholism only, group contracts must offer coverage of at least minimum specified.	§ 304.17A-168 Health benefit plans shall provide coverage for FDA-approved tobacco cessation medications as well as tobacco cessation services.
LA (11/23)	§ 22:1025 Optional coverage for groups for treatment of alcoholism and drug abuse.	§ 22:1041.1 Any health coverage plan provided shall include coverage for smoking cessation benefits for a minimum period of six months if recommended by a physician.
ME (11/23)	24 M.R.S.A. § 2329; 24-A M.R.S.A. § 2842; 02-031 CMR ch. 320, §§ 1 to 10 Treatment benefits for alcoholism and drug dependency must provide the same level of coverage as for physical illnesses, and they shall be included in all group plans except employer groups with 20 or less employees. Does not apply to HMOs. 24-A M.R.S.A. § 4320-J A carrier offering a health plan in this state shall provide coverage for abuse-deterrent opioid analgesic drug products listed on any formulary, preferred drug list or other list of drugs used by the carrier on a basis not less favorable than that for opioid analgesic drug products that are not abuse-deterrent and are covered by the health plan.	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
MD (11/23)	<p>Ins. § 15-802 Must provide benefits for treatment of drug or alcohol misuse under the same terms and conditions used for physical illnesses.</p> <p>Ins. § 15-849 An insurer, nonprofit health service plan, or a health maintenance organization that provides coverage for prescription drugs shall provide coverage for at least two abuse-deterrent opioid analgesic drug products, each containing different analgesic ingredients.</p>	<p>Ins. § 15-841 An insurer or HMO that covers prescription drugs must cover nicotine replacement therapy with the same deductible and coinsurance as other prescriptions. Covers two 90-day courses of treatment.</p>
MA (11/23)	<p>§ 176A:10 Alcohol treatment only, shall provide coverage at least to specified limits.</p>	No provision
MI (11/23)	<p>§ 550.1414a Substance abuse mandated offering of coverage for inpatient care, mandated coverage of outpatient or intermediate care to specified limits.</p> <p>§ 500.3425 Substance use disorder mandated offering of coverage for intermediate and outpatient care.</p>	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
MN (11/23)	<p>§ 62A.149 Mandated treatment of alcoholism, drug abuse or chemical dependency coverage for groups, mandated offering of coverage for non-group policies.</p> <p>§ 62Q.137 Health plan that covers treatment for chemical dependency must pay for treatment provided to an enrollee while committed to the custody of the department of corrections.</p> <p>§ 62Q.47 Cost-sharing requirements and benefit or service limitations for outpatient mental health and outpatient chemical dependency and alcoholism services, except for persons placed in chemical dependency services under Minnesota Rules, parts 9530.6600 to 9530.6655, must not place a greater financial burden on the insured or enrollee, or be more restrictive than those requirements and limitations for outpatient medical services and inpatient hospital medical services.</p>	<p>§ 144.397 The commissioner shall administer or contract the administration of statewide tobacco cessation services to residents who are seeking advice or service to help them quit.</p>
MS (11/23)	<p>§§ 83-9-27 to 83-9-31 Care and treatment of alcohol only, group policies must cover same as other items.</p>	No provision
MO (11/23)	<p>§§ 376.779; 376.1550 Shall provide coverage for at least 30 days of treatment for substance abuse.</p>	No provision
MT (11/23)	<p>§§ 33-22-701 to 33-22-705 Must provide benefits for treatment of substance use disorders under the same terms and conditions used for physical illnesses.</p>	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
NE (11/23)	§§ 44-769 to 44-782 Alcohol only: if group plan does not provide at least specified benefit may not advertise policy as “comprehensive.”	No provision
NV (11/23)	N.R.S. 689A.030 Health insurance policies must offer coverage for treatment of the abuse of alcohol and drugs. N.R.S. 689A.046; 689C.166; 689C.167 Mandates specific benefits depending on type of policy. N.R.S. 695C.1789; 689A.0493; 689B.0397; 695B.1955 Reimbursement for treatment by licensed clinical alcohol and drug abuse counselor.	N.R.S. 695B.19195; 695A.1875; 689B.03785; 689A.0419; 689C.1678; 695C.1698; 695G.1717 An insurer that offers or issues a contract shall include coverage for smoking cessation programs for an insured who is 18 years of age or older consisting of not more than 2 cessation attempts per year and 4 counseling sessions per year.
NH (11/23)	§§ 415:18-a; 420-B:8-b Group or blanket accident or health insurance policies must include treatment by alcohol and drug counselors. Coverage may include a maximum number of days or visits.	No provision
NJ (11/23)	§§ 17B:27-46.1nn; 17:48E-35.38; 17:48-6nn; 17B:26-2.1hh; 17:48A-7kk; N.J.A.C. 11:24-5.2 If group or individual policy provides hospital benefits, must provide coverage for treatment of alcoholism to same extent as other illnesses.	No provision
NM (11/23)	§§ 59A-23-6; 59A-47-35 Group policies must offer coverage for the necessary care and treatment of alcohol dependency to at least specified limits.	§§ 59A-22-44; 59A-46-45; NMAC 13.10.18 If an individual or group policy offers maternity benefits, it shall offer coverage for smoking cessation treatment with the same deductibles and coinsurance imposed on other benefits.

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
NY (11/23)	Ins. Law §§ 3221; 4303 Every contract that provides hospital, major medical or similar comprehensive coverage shall provide inpatient coverage for the diagnosis and treatment of substance use disorder, including detoxification and rehabilitation services.	Circular Letter 2019-12 Issuers that deliver or issue for delivery an insurance policy or contract in New York providing hospital, surgical, or medical care coverage, except for a grandfathered health plan, must provide coverage for smoking cessation treatment, including cessation treatment for insureds who use e-cigarettes.
NC (11/23)	§§ 58-51-50; 58-67-70; 58-65-75 Group policies must offer the necessary care and treatment of chemical dependency at least equal to coverage for other illnesses.	No provision
ND (11/23)	§ 26.1-36-08 For group policies, mandates benefits for diagnosis, evaluation and treatment of alcoholism, drug addiction or treatment of a related illness of at least 60 days inpatient treatment or 120 days of partial hospitalization. § 26.1-36-08.1 An insurer can select alternative substance abuse coverage under this section.	No provision
OH (11/23)	§§ 3923.29; 3923.30 Mandated benefits of at least \$550 yearly for group policies for the outpatient, inpatient, and intermediate primary care benefits for alcoholism.	No provision
OK (11/23)	No provision	Okla. Admin. Code 310:590-3-2 When deemed medically necessary and upon prescription or diagnosis by a physician or health care provider, all individual or group health insurance defined by statute and or governed by the Oklahoma Insurance Commissioner or other appropriate statutory state agency shall reimburse/cover recommendations for life-style changes including smoking cessation.

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
OR (11/23)	<p>§ 743A.160 A health insurance policy providing coverage for hospital or medical expenses, other than limited benefit coverage, shall provide, at the request of the applicant, coverage for expenses arising from treatment for alcoholism.</p> <p>§ 743A.168 A group health insurance policy or an individual health benefit plan that is not a grandfathered health plan providing coverage for hospital or medical expenses, other than limited benefit coverage, shall provide coverage for expenses arising from the diagnosis of behavioral health conditions and medically necessary behavioral health treatment at the same level as, and subject to limitations no more restrictive than, those imposed on coverage or reimbursement of expenses arising from treatment for other medical conditions.</p>	<p>§ 743A.170 A health benefit plan must provide payment, coverage or reimbursement of at least \$500 for a tobacco use cessation program got a person enrolled in the plan is 15 years of age or older. This section is exempt from the automatic repeal provision in ORS 743A.001.</p>
PA (11/23)	<p>40 P.S. § 908-2 Policies that provide hospital or medical/surgical coverage, shall in addition to other provisions required by this act include within the coverage those benefits for alcohol or other drug abuse and dependency.</p>	No provision
PR (11/23)	No provision	No provision
RI (11/23)	<p>§§ 27-38.2-1 to 27-38.2-4 Cover substance abuse under same terms and conditions as other illness. Tobacco and caffeine are excluded from the definition.</p>	<p>§§ 27-18-66; 27-19-57; 27-20-53; R.I. Admin. Code 32-1-14:3 Individual or group health insurance contracts, plans or policies delivered, issued for delivery or renewed in this state on or after 1/1/2010, which provides medical coverage that includes coverage for physician services in a physician's office, and every policy which provides major medical or similar comprehensive-type coverage, shall include coverage for smoking cessation treatment, provided that if such medical coverage does not include prescription drug coverage, such contract, plan or policy shall not be required to include coverage for FDA approved smoking cessation medications.</p>

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
SC (11/23)	§ 38-71-737 Group policy must have been offered rider for psychiatric benefits with minimum of \$2000 coverage per member per benefit year. Includes drug and substance addiction or abuse and alcoholism.	No provision
SD (11/23)	§§ 58-18-7.1; 58-38-11.1; 58-40-10.1; 58-17-30.5 Mandated offer of inpatient treatment of alcoholism coverage. §§ 58-17-30.6; 58-18-7.2; 58-40-10.2; 58-38-11.2 The alcoholism coverage to be offered shall provide benefits on the same basis as benefits provided for the treatment of other sicknesses covered under the policy; however, the coverage by the insurance carrier need not exceed 30 days' care in any 6-month period, and the total days care per recipient need not exceed 90 days during the life of the contract.	No provision
TN (11/23)	§ 56-7-2602 Mandated offer of coverage for necessary care and treatment of alcohol and other drug dependency in all group policies.	No provision
TX (11/23)	I.C. § 1368.004 Group policies must include coverage for necessary care of treatment of chemical dependency at the same levels as other illness. I.C. § 1501.254 A small employer health benefit plan issuer may offer, and the employees of a small employer group may accept a basic coverage health benefit plan without coverage for alcohol and substance abuse benefits if: (1) at least 50% of the employees in writing waive the benefits; and indicate that they have undergone alcoholism or substance abuse treatment or counseling within the preceding 3 years; and (2) the exclusion of those benefits applies only to those employees.	No provision
UT (11/23)	§ 31A-22-645 Insurer offering a health benefit plan providing coverage for alcohol or drug dependency treatment may require an inpatient facility to be licensed.	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
VT (11/23)	8 V.S.A. § 4089b Any alcohol or substance abuse that falls under any of the diagnostic categories in the mental disorders section of the international classifications of disease must be covered by at least one choice for care that places no greater financial burden on the insured than for treatment of physical illness.	8 V.S.A. § 4100j A health insurance plan shall provide coverage of at least one 3-month supply per year of tobacco cessation medication, including over-the-counter medication, if prescribed by a licensed health care practitioner for an individual insured under the plan.
VI (11/23)	No provision	No provision
VA (11/23)	§ 38.2-3412.1 Mandated offer of treatment for alcohol or drug dependency as specified.	No provision
WA (11/23)	§§ 48.21.180; 48.44.240; 48.46.350 Mandated coverage for treatment of chemical dependency in an approved substance use disorder treatment program in all group plans.	No provision
WV (11/23)	§ 33-15-4r Policies issued or renewed on or after 1/1/19 shall provide benefits for treatment of substance use disorder at in-network facilities at the same level as other medical services offered by the policy. §§ 33-15-4n; 33-16-3z; 33-24-7o; 33-25-8l; 33-25A-8n Coverage shall be provided for at least one abuse-deterrent opioid analgesic drug product for each active opioid analgesic ingredient.	No provision

MANDATED BENEFITS - SUBSTANCE ABUSE AND ADDICTION

STATE	SUBSTANCE ABUSE	SMOKING/TOBACCO CESSATION TREATMENT
WI (11/23)	§ 632.89 Group policies must provide coverage for alcoholism and other drug abuse problems.	W.S.A. 49.471 Except as provided in sub. (11r) and § 49.45(24j), recipients who are not eligible for the benefits described in § 49.46(2)(a) and (b) shall have coverage of the following benefits and pay the following copayments: smoking cessation treatment, for pregnant women only.
WY (11/23)	No provision	053.0021.10 § 27 Tobacco cessation products will be covered for appropriate injured workers undergoing a surgical procedure, suffering from an orthopedic fracture or break, or with a wound in which healing may be negatively affected by smoking.

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.