

SB 123-FN - AS INTRODUCED

2025 SESSION

25-0948

05/09

SENATE BILL ***123-FN***

AN ACT requiring coverage of ear acupuncture as a treatment for substance misuse under the state Medicaid plan.

SPONSORS: Sen. Sullivan, Dist 18; Sen. Long, Dist 20; Sen. Fenton, Dist 10; Sen. Watters, Dist 4; Rep. McLean, Hills. 15; Rep. Proulx, Hills. 15

COMMITTEE: Health and Human Services

ANALYSIS

This bill requires coverage of ear acupuncture as a treatment for substance misuse under the state Medicaid plan.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT requiring coverage of ear acupuncture as a treatment for substance misuse under the state Medicaid plan.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; State Medicaid Plan; Substance Misuse Treatment; Ear Acupuncture. Amend
2 RSA 167 by inserting after section 3-m the following new section:

3 167:3-n State Medicaid Plan; Substance Misuse Treatment; Ear Acupuncture Included. Medical
4 assistance under the state Medicaid plan shall include ear acupuncture as a treatment for substance
5 misuse. The initial treatment may be administered during detox and throughout treatment for
6 opioid addiction and other types of substance misuse. The department of health and human services
7 shall submit any amendment to the state Medicaid plan necessary for implementation to the Centers
8 for Medicare and Medicaid Services no later than January 1, 2026.

9 2 Effective Date. This act shall take effect 60 days after its passage.

SB 123-FN- FISCAL NOTE
 AS INTRODUCED

AN ACT requiring coverage of ear acupuncture as a treatment for substance misuse under the state Medicaid plan.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	\$1 million - \$5 million in state funds; indeterminable federal funds	\$1 million - \$5 million in state funds; indeterminable federal funds	\$1 million - \$5 million in state funds; indeterminable federal funds
<i>Funding Source(s)</i>	General Fund, Federal Funds, Other Funds			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill requires the state Medicaid program to cover ear acupuncture as a treatment for substance abuse. The Department of Health and Human Services states that according to FAIR Health, an independent nonprofit that collects data for and manages the nation’s largest database of privately billed health insurance claims, the average cost of a 45-minute acupuncture visit is approximately \$116. Since Medicaid rates are typically less than commercial rates, the Department assumes it would pay no more than 80 percent of this, or \$93 per visit. The Department further notes that Massachusetts’ approved state plan amendment indicates that each Medicaid member is entitled to 20 visits per member, per calendar year. Finally, the Department notes that in 2023, NH had 9,635 Medicaid recipients with a diagnosis of substance use disorder. Assuming half of those (or 4,817) availed themselves of the benefit, and assuming \$93 each for 20 covered visits, the bill would result in \$8,959,620 in total expenditures per year. The Department notes that this utilization projection is purely speculative. Services provided through the traditional Medicaid program would be paid for with 50 percent federal funds and 50 percent state general funds. Services provided through the Granite Advantage Health Care Program would be paid for with 90 percent federal funds and 10

percent state funds from a variety of sources. The Department assumes the overall impact on state funds will be between \$1 million and \$5 million per year.

AGENCIES CONTACTED:

Department of Health and Human Services