

Senate Health and Human Services Committee

Sophie Walsh 271-3469

SB 123-FN, requiring coverage of ear acupuncture as a treatment for substance misuse under the state Medicaid plan.

Hearing Date: January 29, 2025

Time Opened: 9:05 a.m.

Time Closed: 9:54 a.m.

Members of the Committee Present: Senators Rochefort, Birdsell, Prentiss and Long

Members of the Committee Absent: Senator Avard

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

Sponsors:

Sen. Sullivan
Sen. Watters

Sen. Long
Rep. McLean

Sen. Fenton
Rep. Proulx

Who supports the bill: In total, 89 individuals signed in in support of SB 123-FN. The full sign in sheets are available upon request to the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who opposes the bill: In total, 1 individual signed in in opposition of SB 123-FN. The full sign in sheets are available upon request to the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who is neutral on the bill: In total, 1 individual signed in as neutral on SB 123-FN. The full sign in sheets are available upon request to the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Summary of testimony presented:

Senator Victoria Sullivan, Senate District 18

- Senator Sullivan stated that Manchester has been hit hard by the opioid crisis.
- She is the Chairperson of a faith-based sober home in Manchester and also serves as Director of Freedom Staffing. She has first-hand experience dealing with recovery and employing people who are homeless, in recovery, or formerly incarcerated.
- Senator Sullivan explained that the current practice for many people getting off opioids involves going straight into methadone or suboxone. While these are

lifesaving tools, Senator Sullivan has seen how this impacts individuals and interferes with them getting into the job market and being successful in employment.

- Ear acupuncture can help with cessation of cravings, depression, insomnia, and many more symptoms.
- Senator Sullivan explained that experts will testify that this is a tool that the state needs to implement if people are going to succeed in recovery.
- The only New England state that currently has Medicaid paying for ear acupuncture is Massachusetts. Only three other states in the country are doing this, but it is approved by Medicaid.
- New Hampshire can pave the way for other states to implement this useful tool.
- Senator Birdsell asked if ear acupuncture is covered by other insurance carriers.
- Senator Sullivan said she is not sure, but she knows there are acupuncturists performing this service for free because it is such an essential tool.

Rob Berry, Department of Health and Human Services

- Mr. Berry stated that he is the general counsel to the Division of Medicaid.
- Mr. Berry explained that this service is not currently covered in the New Hampshire Medicaid Program. While the fiscal note was not able to be completed yet, there will be a fiscal impact of approximately 1-5 million dollars because there is no appropriation in the bill.
- From his research, Mr. Berry estimated that approximately half of the individuals diagnosed with substance abuse disorders would utilize this treatment.
- Based on Massachusetts' state plan, there would be an estimated 20 visits per year. Mr. Berry emphasized that there is further room to refine this analysis with stakeholders.
- Senator Birdsell asked if private insurance carriers cover this service, and Mr. Berry said he is not sure.
- Senator Long inquired about the average length of treatment being approximately 20 visits.
- Mr. Berry explained that estimation is based on what was found in other state plans. He has learned through conversations with stakeholders that length of treatment can be different and is usually more rigorous during initial treatment.
- Senator Rochefort asked if DHHS has a credentialing process for this, assuming that there are providers who could provide this service but are not currently enrolled as Medicaid providers.
- Mr. Berry explained that DHHS generally would require that providers be credentialed with the Acupuncture Board.
- Senator Birdsell asked how many individuals in Massachusetts use this service.

- Mr. Berry stated that he is not sure, as his assumptions were based on half of the substance use disorder diagnosis population from 2023. He also said he assumes it would probably not be likely that everyone would complete the full 20-visit length of treatment. A study found 61% follow through with treatment; it is cited in the fiscal note worksheet.
- Senator Birdsell asked if Mr. Berry knew what states are doing this.
- Mr. Berry stated that California, Massachusetts, Connecticut and Minnesota cover acupuncture on a general basis. He noted that Oregon may be doing this as well, but he was not able to find their state plan amendment.
- Senator Rochefort asked if DHHS anticipates this service being used in step therapy protocol or as initial therapy in treatment.
- Mr. Berry explained this is not his area of expertise, so he would like to work with the stakeholders to determine that. He noted that there would have to be a change in administrative rules because acupuncture is not currently a covered service.

Elizabeth Ropp

- Ms. Ropp stated that she is a licensed acupuncturist in Manchester. She has been promoting the use of ear acupuncture for substance abuse since 2016.
- Soon after she began promoting this, a certification for acupuncture detoxification specialists became available in New Hampshire.
- Acupuncture is very effective when well-integrated into a program. However, it is not often well implemented into programs due to a lack of billing.
- Ms. Ropp explained that the process of receiving certification training and supplies are generally cheap.
- Many programs providing acupuncture may only offer it once a week or less. There are also programs expressing interest in providing acupuncture, but are uncertain how to bill for it.
- Senator Prentiss asked if private insurance carriers are covering this.
- Ms. Ropp explained she is not sure because she works in a low-cost clinic that does not work with insurance.
- She said that she has been told that Oregon has been doing this for 30 years, and explained that it is very cost-effective, costing around \$15 per treatment.
- She cited a 2005 study from New York that showed cost-savings of approximately \$2,000 when comparing an acupuncture group to a control group.
- Senator Rochefort clarified that treatment consists of 20 treatments per year with a cost of \$15 each.
- Ms. Ropp explained that a number of treatments per year cannot be pinned down, as it needs to be offered regularly and as much as possible in early recovery.

- Senator Rochefort asked Ms. Ropp to submit the data she is citing to the committee, and Ms. Ropp agreed.

Brekke Best

- Ms. Best stated that she is an RN, works in a detox center, and is an acupuncture detoxification specialist. She also has experience as a person in long-term recovery.
- She said ear acupuncture was instrumental in her own recovery.
- She thought this was important to incorporate into her own practice. While her employer was supportive, there was no incentive for them to pay for staff to be trained for this. Thus, she provides this on a voluntary basis.
- Ms. Best explained that she has seen a heavy shift from clients depending on medications to cope with symptom management to utilizing ear acupuncture instead.
- She anticipates cost-savings in the sense that people will be relying less on medications and more on alternative therapies.
- Ms. Best said she believes that if this were a Medicaid billable procedure, employers would be more motivated to have their staff trained. Furthermore, people would have access to transportation to receive this treatment.
- Ms. Best emphasized that it is important for individuals in early recovery to see that there's a way to deal with symptom management that does not require medication or substances.
- Senator Long asked how early Ms. Best began receiving acupuncture in her own journey.
- Ms. Best said she began as soon as she was released from an inpatient treatment program. She received this treatment weekly, but would have gone more often if that was an option.
- Senator Long asked how long Ms. Best continued to receive the acupuncture.
- Ms. Best explained she received it on a weekly basis for the first year, but now she does not do it as often. She believes the recommendation is to receive treatment once or twice a day until an individual has seven to ten days of clean urine and then continue on a weekly basis for maintenance.

Jeff Davis

- Mr. Davis stated that he is a certified acupuncture detoxification specialist and a master-level addiction counselor.
- He first encountered this practice in the 1990's at a conference in Louisiana where he got to experience ear acupuncture himself and recognized the immediate benefits.
- He has utilized this practice in his work and noted that individuals in his program prefer the acupuncture as a detox protocol over medication options.

- Mr. Davis explained that ear acupuncture can be used to detox from alcohol, benzodiazepines, opiates, stimulants, and more.
- After his first encounter with ear acupuncture, Mr. Davis did not see this practice again for many years in New Hampshire, until he met Ms. Ropp and began referring his patients to her immediately. Now that he is certified, he can provide these services to his clients himself as well.

Trina Serrecchia

- Ms. Serrecchia explained that she has been in the field of coaching for decades and is a new acupuncturist.
- Her experience in coaching has included work in helping people calm down their nervous systems. The vagus nerve plays an important role, as it innervates in many places throughout the body, including the ear.
- Ms. Serrecchia recalled her first experience with ear acupuncture and explained that she felt the immediate benefits.
- Ms. Serrecchia shared that she used to be a closet smoker, but she has not had a cigarette since she utilized ear acupuncture. She explained that while cigarette addiction is different from opioid addiction, it would be life changing for many if ear acupuncture could be provided for cigarette addiction as well.
- Senator Rochefort asked the audience to send any data they have the committee, as it would be helpful.

Darryl Lennon

- Mr. Lennon stated that he is speaking in support of this bill and read a letter from Archways Recovery Community Organization and Family Resource Centers.
- Archways provides Acudetox services as part of a holistic approach to direct support, peer recovery, and family support services.
- Ear acupuncture is an evidence-based practice utilized worldwide to support recovery from substance use.
- Archways supports efforts to ensure those living in poverty and supported by Medicaid have access to this practice.
- As a Medicaid reimbursable service, increased access to this tool will be beneficial to the comprehensive efforts of reducing reoccurrence for those working to sustain recovery.
- Mr. Lennon shared that he is in long-term recovery himself and struggles with chronic pain. He completed the certification training after receiving ear acupuncture detox treatment. He uses this tool as a recovery coach at Archways.
- Senator Long asked if Mr. Lennon has seen newer people taking advantage of this service over time.

- Mr. Lennon explained that while not a lot of people are aware of this service, it is provided for free at Archways. He has never seen anybody have a bad experience with it.

Donlon Wade

- Mr. Wade stated that he is both a licensed ear acupuncturist and licensed drug and alcohol counselor. He has been in the field for over 50 years.
- He first heard about ear acupuncture over 30 years ago at Rutgers' Advanced School of Addiction Study when he got to experience it himself.
- When he came back to New Hampshire, he noticed that the practice was absent.
- Mr. Wade shared a story about working with doctors to create a license for this practice in New Hampshire. He was the sixth person to receive the license.
- Mr. Wade explained that he has seen this practice work and save lives. He has got individuals off methadone and other drugs with the help of this practice.
- Mr. Wade emphasized that this will help people detox and maintain their sobriety, and passing this bill could potentially increase those numbers.

Rob Berry, Department of Health and Human Services

- Senator Rochefort asked if the Department would need more guidance from the legislature regarding what to pay for and how much.
- Mr. Berry said the legislature can be as broad or specific as they would like, but based on its current broadness, they would like to work with stakeholders to determine appropriate means of treatment.
- Senator Rochefort noted there is a lot of granularity in the bill, as well as some unanswered questions and details.
- Mr. Berry explained that when developing and implementing new services, sometimes being more specific is better. He noted it would also depend on what is approved by the federal level since a state plan amendment would be needed.
- Senator Birdsell asked if connecting with commercial carriers would be helpful.
- Mr. Berry said any resource is useful when developing a new program.
- Senator Long asked if other states are consistent with treatment length and prices.
- Mr. Berry said he is not sure if other states are covering this specific form of acupuncture. He noted that some states have more specific coverage guidelines than others. Massachusetts is the only state they could easily find with limitations on visits, and California has a rate that is more in line with the testimony given today.

SW

Date Hearing Report completed: February 4, 2025