

# The Exchange

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Chester County  
Department of  
Drug and Alcohol  
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MESSAGE FROM THE DIRECTOR

## Message from the Director

### KNOW YOUR RIGHTS ALCOHOL AND OTHER DRUG TREATMENT

#### WHAT MUST MY INSURANCE COMPANY PAY FOR?

Insured individuals are experiencing major improvements in access to addiction treatment across the Commonwealth. This is thanks to the efforts of many advocates and the actions of the Insurance Commissioner and Attorney General of Pennsylvania to enforce the law governing drug and alcohol treatment benefits, Act 106 of 1989.

Act 106 of 1989 applies to most group insurance plans in Pennsylvania and mandates minimum insurance benefits for drug and alcohol treatment, including the types of service and lengths of stay that must be provided. Additionally, the law makes it clear that the only prerequisite to obtaining this coverage is a certification and referral from a licensed physician or licensed psychologist. It is the clarification on this aspect of the law, by the Insurance Commissioner Notice 2003-06 in the Pennsylvania Bulletin, that has resulted in much greater access to needed treatment in the Commonwealth.

Following is information regarding the benefits mandated by Act 106 of 1989 and how to access these benefits. Additionally, this newsletter contains information on the role Act 106 should play as you choose a treatment provider and where to go for help if you experience problems accessing your benefits.

in Pennsylvania, you are entitled to certain alcohol and other drug treatment benefits. Pennsylvania's Act 106 of 1989 mandates that most insurance plans provide the following types of treatment and lengths of stay:

#### Minimum Insurance Benefits Under Act 106 of 1989

##### A. Up to 7 days of detoxification per year – 28 days per lifetime

(Detoxification is a residential hospital or non-hospital medical process needed by some people prior to entering treatment).

##### B. Minimum of 30 days non-hospital residential rehabilitation per year – 90 days per lifetime

(Residential rehabilitation is a live-in treatment program for persons with serious substance abuse problems).

##### C. Minimum of 30 days full session visits of outpatient or equal partial hospitalization visits per year – 120 total visits per lifetime

(Outpatient services include group and individual counseling sessions and are used in conjunction with 12-Step programs such as Alcoholics Anonymous [AA]. Partial Hospitalization, sometimes called Intensive Outpatient, is a more intensive form of outpatient treatment. Programs generally provide 10 or more hours of treatment per week, meeting three (3) to five (5) times per week).

Act 106 of 1989 requires *most group health insurance policies drafted in the state of Pennsylvania*, including Health Maintenance Organizations (HMOs) to include these mandated minimum benefits for treatment of alcohol and drug addiction. All treatment services must be provided in a program licensed by the Pennsylvania Department of Health specifically to provide alcohol and other drug treatment.

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Under most  
group health  
insurance  
plans

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**How can you access these mandated benefits?**

The first step is to identify whether you or another family member needs help for an alcohol or other drug problem. Under the law, a licensed physician or a licensed psychologist can write the certification and referral prescription for addiction treatment. This could be your family physician or a physician or licensed psychologist at the treatment program – **the words “certification and referral” must be included and it must indicate the type of treatment (e.g. outpatient, residential, etc.) and length of treatment (e.g. “up to 30 days”).** See Page 3 for a sample form.

You should also make sure that the treatment program you select, from those names provided to you by your insurance company, is aware of the Pennsylvania law (please see Page 5, How To Choose a Treatment Program That Knows About Act 106 of 1989) and will help support your rights to access the full benefit. Once these steps are completed, you should have full access to your insurance benefits as mandated under Act 106 of 1989.

We understand that this can be an extremely frustrating and difficult process at a time when people need immediate help. Because of these difficulties, we have contracted with an organization called Pennsylvania Recovery Organization – Achieving Community Together (PRO-ACT) to assist you in this process. **If you experience any problems, call 1-800-221-6333** and ask to speak with a PRO-ACT Client Advocate. A client advocate is available to help you during regular business hours. This service is available free of charge.

**Why is this important?** The bottom line is that enforcement of this law can save lives. Many of those who have been advocating for the enforcement of Act 106 of 1989 are individuals who have lost loved ones to addiction, after being unable to access the full treatment benefit. The reality is that addiction is a life threatening disease and if left untreated or under-treated, people will die.

From a public policy perspective it is also important. On the financial side, there is a very strong likelihood that addicted individuals, left untreated or inadequately treated, will lose their jobs and eventually end up being funded for treatment services using public dollars. Additionally, these

individuals will not be contributing to the economy and may also end up utilizing other services supported through taxpayer’s dollars.

The Chester County Department of Drug and Alcohol Services is proactively working to educate our treatment system, physicians, and the public on Pennsylvania’s Act 106 of 1989. If you or your organization would like more information, including a presentation for your group and/or Information Bulletins explaining the law, please contact the PRO-ACT Client Advocate at 1-800-221-6333. A list of available Information Bulletins can be found on Page 3.

*Kim P. Bowman*

*Director, Chester County Department of  
Drug and Alcohol Services*

**CHESTER COUNTY DEPARTMENT OF  
DRUG AND ALCOHOL SERVICES**

**SPONSORS**

**ACT 106 OF 1989 TRAINING**

On January 20, 2006, the Chester County Department of Drug and Alcohol Services sponsored a half-day training on Act 106 of 1989 for our treatment provider system. The training included; a history of the law, the drug and alcohol treatment benefits as mandated under the law, specific steps to be taken to access these benefits, and finally, the story of how one large provider has successfully accessed insurance benefits for their patients utilizing Act 106 of 1989.

Over 85 individuals, representing 32 treatment providers received handouts and Information Bulletins on Act 106 of 1989. Information included step-by-step instructions for both patients and providers on how to access mandated drug and alcohol treatment through group health insurance plans. Providers also received information and resources for filing grievance and appeals if benefits are denied.

As a result of the training, we have seen an increase in calls to our Advocacy Line by treatment providers. The Advocacy Line offers treatment providers and individuals’ assistance in accessing drug and alcohol treatment benefits. We also have been advised that one major insurer in our area has started routinely authorizing care in compliance with the minimum 30 day benefit, without multiple reviews, when they receive the certification and referral for an Act 106 case.

The next phase of this campaign is to provide educational materials to physicians so they can assist patients in getting the help they need.

## *What is a Certification and Referral?*

Basically, it is a “prescription” that a physician or licensed psychologist writes so you can access drug and alcohol treatment via Act 106 of 1989. According to Policy Bulletin 2003-06, issued by the Pennsylvania Insurance Department, “*the certification and referral in all instances controls both the nature and duration of treatment*”. An insurance company or Health Maintenance Organization (HMO) **cannot** second guess or override a physician’s (or licensed psychologist’s) certification and referral for treatment. The certification and referral must contain the following elements: indicate the level of care (e.g. outpatient, residential, etc.) and length of treatment (e.g. “up to 30 days”) and include the words “certification and referral”. We have provided a sample form below:

The form is a sample for a Certification and Referral. It features a large, diagonal watermark reading "SAMPLE" with a small "Rx" symbol. The form includes the following fields and labels:

- For \_\_\_\_\_
- Age \_\_\_\_\_
- Address \_\_\_\_\_
- Date \_\_\_\_\_
- Detox \_\_\_\_\_
- Drug / Alcohol Treatment \_\_\_\_\_
- Certification and Referral for \_\_\_\_\_
- Inpatient \_\_\_\_\_ Length of Stay \_\_\_\_\_
- Outpatient \_\_\_\_\_ Length of Stay \_\_\_\_\_

If you would like additional copies of this form, please call 1-800-221-6333 and ask for the Client Advocate. Copies of Policy Bulletin 2003-06, issued by the Pennsylvania Insurance Department, are also available.

## **RESOURCE REVIEW**

The Chester County Department of Drug and Alcohol Services in conjunction with the Pennsylvania Recovery Organization – Achieving Community Together (PRO-ACT) has developed a packet of information designed to educate both professionals and the general public on Pennsylvania’s Act 106 of 1989. The materials in this packet can be matched to your individual needs or the audience you are trying to reach. Information Bulletins include the following titles:

- Alcohol and Other Drug Treatment – What Must My Insurance Company Pay For?
- Need Help for Alcohol or Other Drugs? – How to Choose a Treatment Program that Knows About Act 106 of 1989
- Need Help for Alcohol or Other Drugs? – How to Get Help for an Alcohol or Other Drug Problem Through My Insurance Company
- Act 106 of 1989 – Information for Treatment Providers
- Sample Certification and Referral for Drug/Alcohol Treatment (sample “prescription” form that can be used by physicians and licensed psychologists to prescribe addiction treatment for their patients)
- House Bill 1104 (includes Act 106 of 1989)
- The Pennsylvania Bulletin – Drug and Alcohol Use and Dependency Coverage; Notice 2003-06 (this notice was issued by M. Dianne Koken, Insurance Commissioner on August 8, 2003 and re-enforces the mandated benefits under Act 106 of 1989)
- How to File an Act 106 of 1989 Complaint
  - Pennsylvania Office of Attorney General Health Care Complaint Form
  - Authorization to Release Medical Records and Insurance Records
  - Authorization to Release Medical and Insurance Records Related to Substance Abuse
  - Commonwealth of Pennsylvania Insurance Department Complaint Form

Information Bulletins may be obtained, free of charge, by contacting the Client Advocate at PRO-ACT. Please call 1-800 221-6333.

## **IN VIEW**

### **Advocacy Line for Act 106 of 1989**

#### ***A service of the Pennsylvania Recovery Organization – Achieving Community Together (PRO-ACT)***

Are you having problems accessing treatment benefits that you or a family member is entitled to under Pennsylvania's Act 106 of 1989? If yes, we can help.

The Chester County Drug and Alcohol Insurance Advocacy Service, provided through contract by the PRO-ACT, is a resource for Chester County residents who have private insurance and are having difficulty accessing appropriate drug and alcohol treatment through their insurance company.

Advocacy services are provided impartially and independently of any and all health plan providers. Trained Advocates staff the Chester County Drug and Alcohol Insurance Advocacy Service. They act as an impartial third party to help resolve conflicts between a healthcare plan and one of its members.

When you call the Advocacy Line, you will reach an Advocate who can provide the following services:

- Call the insurance company to assist you in figuring out your drug and alcohol treatment insurance benefits;
- Work with the family that is having difficulty with their insurance company regarding accessing appropriate drug and alcohol treatment;
- Assist with educating the treatment provider about the benefit requirements;
- Assist clients and family members with filing grievances and the appeals process;
- Provide follow-up and case management.

Advocacy services are available Monday through Friday, 9:00 a.m. – 5:00 p.m. by calling 1-800-221-6333. Services are provided at no charge to the caller.

## **Mark Your Calendar**



### **NATIONAL OBSERVANCES:**

**March 19-25:** National Inhalant and Poisons Awareness Week [www.inhalants.org](http://www.inhalants.org)

**April 2006:** Alcohol Awareness Month [www.ncadd.org](http://www.ncadd.org)

**April 3-9, 2006:** National Public Health Week [www.apha.org](http://www.apha.org)

**April 5, 2006:** Kick Butts Day <http://kickbuttsday.org/>

**April 6, 2006:** National Alcohol Screening Day (NASD): alcohol screening sites are being planned throughout Chester County. Contact the county Department of Drug and Alcohol Services @ 610-344-6620 for a complete list of locations. Free, confidential and anonymous self-test for alcohol problems may be found on [www.alcoholscreening.org](http://www.alcoholscreening.org)

**May 14-20, 2006:** National Alcohol and Other Drug Related Birth Defects Week [www.ncadd.org](http://www.ncadd.org)

**May 31, 2006:** World "No Tobacco" Day [www.wntd.org](http://www.wntd.org)

### **CONFERENCE AND TRAINING OPPORTUNITIES:**

**March 22, 2006 - Post Traumatic Stress Disorder (PTSD) and Addiction;** Lancaster, PA 17601

**April 20-21, 2006 - "Transitions" A Conference on Uniting Colleges, Communities, and School Districts in Effective Prevention Strategies":** Lancaster, PA Contact: (717) 238-4354 for more information

**April 29, 2006 - Johnson Institute Recovery Ambassadors Workshop;** United Methodist Church of the Resurrection, Exton, PA; Contact [wbeck@coadgroup.com](mailto:wbeck@coadgroup.com) for more information.

**Bureau of Drug and Alcohol Programs:** for complete list of courses offered by the PA Department of Health visit <http://bdap.health.state.pa.us/mrtr/Welcome.aspx>

## **FAMILY CORNER**

*News you can use*

### ***HOW TO CHOOSE A TREATMENT PROGRAM FOR YOU OR SOMEONE YOU CARE ABOUT***

#### **THAT KNOWS ABOUT PENNSYLVANIA INSURANCE LAW: ACT 106 OF 1989**

*Who does Act 106 of 1989 Apply to? Most group health insurance plans drafted in the state of Pennsylvania including Health Maintenance Organizations (HMOs).*

Now that you have contacted your insurance company using the toll free number on the back of your card and gotten names of drug and alcohol treatment programs, it is time to select a treatment program. The following questions are meant as guidelines to help individuals make an educated decision on where to go for help. By asking the following questions, prior to selecting a treatment program, you are ensuring that you or someone you care about will have access to the mandated treatment benefits as described in the law.

#### **Question: Do you know about Act 106 of 1989?**

If the treatment provider answers “no”, then ask for the person’s name and tell them that someone from PRO-ACT (Pennsylvania Recovery Organization – Achieving Community Together) will call them back with specific information regarding Act 106 of 1989 and mandated treatment benefits.

#### **Next:**

Call the PRO-ACT Advocacy Line at 1-800-221-6333; ask for the PRO-ACT Client Advocate. Tell the Client Advocate that you need help with a treatment program that does not know about Act 106 of 1989.

#### **If the treatment program answers “yes” then:**

Ask, “Will you use my physician’s (or licensed psychologist’s) certification and referral (“prescription”) or will your physician do the necessary certification to get my insurance company to pay for my addiction treatment if it is an insurance plan that must comply with Act 106 of 1989?”

#### **Next:**

Ask, “If my insurance company will not accept the physician’s (or licensed psychologist’s) certification and referral (“prescription”) for my treatment, will you follow through with my insurance company’s grievance and appeal process and file a complaint with the Pennsylvania Insurance Department and Attorney General’s Office?”

**If you have questions or want help with any part of this process, call The Advocacy Line at 1-800-221-6333 and ask for PRO-ACT’s Client Advocate. This service is available free of charge.**

*The Chester County Department of Drug and Alcohol Services is working with treatment providers and physicians to educate them about Act 106 of 1989. Everyone working together can get Pennsylvanians the alcohol and drug treatment benefits that they are entitled to through their group insurance plan.*

The Chester County  
Department of Drug and Alcohol Services  
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West Chester, PA 19380-0990

## *The Exchange Spring 2006*



The Exchange is sponsored by: The Chester County Department of Drug and Alcohol Services, P.O. Box 2747, 601 Westtown Road Suite 325, West Chester, PA 19380-0990.

For more information or to be on the mailing list for this newsletter, contact the Community Prevention staff at: The Coad Group, 930 East Lancaster Avenue Exton, PA 19341. 610.363.6164 or 1.800.917.1117

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*The Department of Health and Chester County Commissioners specifically disclaim responsibility for any analyses, interpretations, or conclusions herein.*

## *For More Information...*

Join Together (617) 437-1500  
[www.jointogether.org](http://www.jointogether.org)

National Institute on Drug Abuse  
[www.nida.nih.gov](http://www.nida.nih.gov) or [clubdrugs.org](http://clubdrugs.org)

National Center for Chronic Disease Prevention and Health  
[www.cdc.gov/tobacco](http://www.cdc.gov/tobacco)

National Clearinghouse for Alcohol & Drug Information  
1-800-729-6686 [www.health.org](http://www.health.org)

Partnership for a Drug-Free America  
(212) 922-1560 [www.drugfreeamerica.org](http://www.drugfreeamerica.org)

PA Dept. of Health, Research & Info. Clearinghouse [www.padohric.org](http://www.padohric.org)

Al-Anon Family Group Headquarters.  
(800) 344-2666 or (800) 356-9996.  
[www.al-anon.alateen.org](http://www.al-anon.alateen.org)

The Coad Group  
[www.coadgroup.com](http://www.coadgroup.com)

You can view or print this newsletter by visiting Chester County's Website: [www.chesco.org](http://www.chesco.org) and following the links for Human Services to Drug & Alcohol Services.