

By: Representative Summers

To: Public Health and Human Services

HOUSE BILL NO. 718

1       AN ACT TO REQUIRE EACH SUBSTANCE USE DISORDER FACILITY THAT  
2 PROVIDES TREATMENT FOR OPIOID USE DISORDER TO PREGNANT WOMEN TO  
3 PROVIDE ONSITE ACCESS TO AT LEAST ONE FORM OF FDA-APPROVED OPIOID  
4 AGONIST TREATMENT; TO DEFINE THE TERM "SUBSTANCE USE DISORDER  
5 FACILITY" AS A FACILITY OR PROGRAM OPERATED OR CERTIFIED BY THE  
6 STATE DEPARTMENT OF MENTAL HEALTH THAT PROVIDES TREATMENT TO  
7 PERSONS WITH SUBSTANCE USE DISORDERS; TO DEFINE THE TERM "ONSITE  
8 ACCESS" AS DELIVERY OF THE TREATMENT TO THE PATIENT AT THE  
9 LOCATION OF THE SUBSTANCE USE DISORDER FACILITY; TO REQUIRE, FROM  
10 AND AFTER JULY 1, 2026, EACH SUBSTANCE USE DISORDER FACILITY  
11 SUBJECT TO THE REQUIREMENTS OF THIS ACT THAT IS CERTIFIED BY THE  
12 DEPARTMENT TO SUBMIT TO THE DEPARTMENT ON ITS INITIAL  
13 CERTIFICATION APPLICATION OR ITS CERTIFICATION RENEWAL APPLICATION  
14 AN ATTESTATION AS TO WHETHER IT IS COMPLYING WITH THE REQUIREMENTS  
15 OF THIS ACT; TO DIRECT THE DEPARTMENT TO MONITOR COMPLIANCE BY  
16 SUBSTANCE USE DISORDER FACILITIES WITH THE REQUIREMENTS OF THIS  
17 ACT TO ENSURE CONTINUED ACCESS TO OPIOID USE DISORDER TREATMENT  
18 FOR PREGNANT WOMEN, AND TO MAKE CERTAIN REPORTS ANNUALLY TO THE  
19 PUBLIC HEALTH COMMITTEES OF THE HOUSE AND SENATE; AND FOR RELATED  
20 PURPOSES.

21       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

22       SECTION 1. (1) (a) For the purposes of this section:

23                   (i) "Department" means the State Department of  
24 Mental Health.

25                   (ii) "Onsite access" means delivery of the  
26 treatment to the patient at the location of the substance use  
27 disorder facility. "Onsite access" does not mean that the

28 substance use disorder facility is required to maintain stock of  
29 the medication-assisted treatment at the facility.

30 (iii) "Substance use disorder facility" means a  
31 facility or program operated or certified by the department that  
32 provides treatment to persons with substance use disorders.

33 (b) Each substance use disorder facility that provides  
34 treatment for opioid use disorder to pregnant women shall provide  
35 onsite access to at least one (1) form of FDA-approved opioid  
36 agonist treatment.

37 (c) A substance use disorder facility is not in  
38 violation of this section if prior authorization from a patient's  
39 health insurer, including the Medicaid program, is required and  
40 the preapproval request is denied by the patient's health insurer.

41 (2) From and after January 1, 2026, each substance use  
42 disorder facility subject to the requirements of subsection (1) of  
43 this section that is certified by the department shall submit to  
44 the department on its initial certification application or its  
45 certification renewal application an attestation as to whether it  
46 is complying with the requirements of subsection (1) of this  
47 section. If the facility is not fully complying with the  
48 requirements of subsection (1) of this section, then the  
49 attestation that the facility submits shall include a report  
50 addressing its progress toward satisfying those requirements.

51 (3) The department shall monitor compliance by substance use  
52 disorder facilities with the requirements of this section to

53 ensure continued access to opioid use disorder treatment for  
54 pregnant women. The department also shall report annually to the  
55 House Public Health and Human Services Committee and the Senate  
56 Public Health and Welfare Committee the number of pregnant women  
57 receiving medications for opioid use disorder and the number of  
58 substance use disorder facilities providing that treatment before  
59 July 1, 2025, and each year thereafter.

60 **SECTION 2.** This act shall take effect and be in force from  
61 and after July 1, 2025.

