

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



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

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

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

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

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

(3) The department shall monitor compliance by substance use 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.

