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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that 200,000 accidental  
2 deaths occur each year in hospitals in the United States.  
3 According to *The Honolulu Advertiser*, March 3, 2007, Hawaii  
4 hospitals ranked in the bottom 20 per cent when compared to  
5 other states in an analysis that included risk-adjusted  
6 mortality, patient safety, and risk-adjusted complications.

7           Hawaii is experiencing an extreme shortage of professional  
8 health care workers, particularly nurses. Patient safety is  
9 often linked to nursing care. The medical-surgical units and  
10 nursing stations of a typical acute-care hospital are where most  
11 patients receive non-critical care, generally involving  
12 regularly scheduled nursing rounds every four to five hours.  
13 Nevertheless, acute or unexpected clinical events can go  
14 unnoticed for critical minutes or hours, until the next visit by  
15 a physician or nurse. The lack of more frequent observation may  
16 result in adverse patient outcomes, higher health care costs,  
17 and possible medical malpractice claims.



1 The purpose of this Act is to minimize accidental patient  
2 injuries and deaths in hospitals and to ensure that patients in  
3 Hawaii receive quality health care by requiring health insurance  
4 providers to include in their policies, medical surveillance  
5 services for covered patients who are receiving in-patient  
6 health care services at an acute-care hospital.

7 SECTION 2. Chapter 431, Hawaii Revised Statutes, is  
8 amended by adding a new section to article 10A to be  
9 appropriately designated and to read as follows:

10 "§431:10A- Medical surveillance services coverage. (a)

11 All individual and group accident and health or sickness  
12 insurance policies shall include medical surveillance services  
13 for the subscriber or any dependent of the subscriber who is  
14 covered by the policy; provided that:

15 (1) The patient is receiving in-patient health care  
16 services at an acute-care hospital; and

17 (2) The patient's treating physician orders the  
18 application of medical surveillance services as a  
19 precautionary measure due to the nature of the  
20 patient's illness or treatment.

21 (b) For the purposes of this section, "medical  
22 surveillance services" means the use of an automated, wireless,



1 early-alert system that is authorized by the federal Food and  
2 Drug Administration and provides accurate and continuous  
3 observation of heart and respiratory rates and patient  
4 mobility."

5 SECTION 3. Chapter 432, Hawaii Revised Statutes, is  
6 amended by adding a new section to article 1 to be appropriately  
7 designated and to read as follows:

8 "§432:1- Medical surveillance services coverage. (a)  
9 Each policy, contract, plan, or agreement shall provide coverage  
10 for medical surveillance services for the subscriber or any  
11 dependent of the subscriber who is covered by the policy;  
12 provided that:

13 (1) The patient is receiving in-patient health care  
14 services at an acute-care hospital; and  
15 (2) The patient's treating physician orders the  
16 application of medical surveillance services as a  
17 precautionary measure due to the nature of the  
18 patient's illness or treatment.

19 (b) For the purposes of this section, "medical  
20 surveillance services" means the use of an automated, wireless,  
21 early-alert system that is authorized by the federal Food and  
22 Drug Administration and provides accurate and continuous



1 observation of heart and respiratory rates and patient  
2 mobility."

3 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§432D-23 Required provisions and benefits.

6 Notwithstanding any provision of law to the contrary, each  
7 policy, contract, plan, or agreement issued in the [State] state  
8 after January 1, 1995, by health maintenance organizations  
9 pursuant to this chapter, shall include benefits provided in  
10 sections 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,  
11 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, [~~and~~]  
12 431:10A-121, and 431:10A-\_\_\_\_\_, and chapter 431M."

13 SECTION 5. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on January 1, 2050.



**Report Title:**

Health Care Insurance Coverage; Medical Surveillance Services

**Description:**

Requires health insurance policies to cover medical surveillance services for subscribers who are receiving in-patient health care services at an acute care hospital. (SB409 HD1)

