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# SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL  
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE PARITY OF  
COVERAGE FOR ORAL AND INTRAVENOUS CHEMOTHERAPY.

1           WHEREAS, the American Cancer Society estimates that more  
2 than 565,650 people in the United States, including over 2,260  
3 people in Hawaii, died of some form of cancer in 2008; and  
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5           WHEREAS, the American Cancer Society also reports that  
6 approximately 1,437,180 new cases of cancer were diagnosed in  
7 2008, including approximately 6,310 new cases in Hawaii; and  
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9           WHEREAS, advances in cancer treatment have led to the  
10 availability of oral chemotherapy drugs to treat certain types  
11 of cancers including breast cancer, colon and colorectal cancer,  
12 leukemia, lymphoma, lung cancer, Kaposi's sarcoma, prostate  
13 cancer, ovarian cancer, and brain tumor; and  
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15           WHEREAS, oral chemotherapy, which allows a patient to take  
16 cancer-fighting drugs by mouth in the form of a pill, capsule,  
17 or liquid, may be more effective at fighting certain types of  
18 cancer and may cause fewer negative side effects in some  
19 patients than traditional intravenous chemotherapy; and  
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21           WHEREAS, oral chemotherapy drugs do not require  
22 administration in a clinical setting and, therefore, allow a  
23 patient to maintain a greater degree of normalcy and  
24 independence during treatment than traditional intravenous  
25 chemotherapy; and  
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27           WHEREAS, oral chemotherapy may be more cost-efficient for  
28 many patients than traditional intravenous chemotherapy since  
29 oral chemotherapy does not require each dose to be administered  
30 by medical personnel in a clinical setting; and  
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1 WHEREAS, it is important to ensure that health insurance  
2 providers cover all forms of necessary and effective treatment  
3 for cancer patients in this State; and  
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5 WHEREAS, section 23-51, Hawaii Revised Statutes, requires  
6 that "[b]efore any legislative measure that mandates health  
7 insurance coverage for specific health services, specific  
8 diseases, or certain providers of health care services as part  
9 of individual or group health insurance policies, can be  
10 considered, there shall be concurrent resolutions passed  
11 requesting the auditor to prepare and submit to the legislature  
12 a report that assesses both the social and financial effects of  
13 the proposed mandated coverage"; and  
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15 WHEREAS, section 23-51, Hawaii Revised Statutes, further  
16 provides that "[t]he concurrent resolutions shall designate a  
17 specific legislative bill that:  
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- 19 (1) Has been introduced in the legislature; and  
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- 21 (2) Includes, at minimum, information identifying the:  
22
  - 23 (A) Specific health service, disease, or provider  
24 that would be covered;  
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  - 26 (B) Extent of the coverage;  
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  - 28 (C) Target groups that would be covered;  
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  - 30 (D) Limits on utilization, if any; and  
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  - 32 (E) Standards of care.  
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34 For purposes of this part, mandated health insurance coverage  
35 shall not include mandated optionals"; and  
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37 WHEREAS, section 23-52, Hawaii Revised Statutes, further  
38 specifies the minimum information required for assessing the  
39 social and financial impact of the proposed health coverage  
40 mandate in the Auditor's report; and  
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42 WHEREAS, S.B. No. 166, S.D. 1 (2009), mandates parity of  
43 coverage for oral and intravenous chemotherapy for all  
44 individual and group accident and health or sickness insurance

1 policies that include coverage for the treatment of cancer,  
2 effective July 1, 2009; and  
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4 WHEREAS, the Legislature believes that parity of coverage  
5 for oral and intravenous chemotherapy, as provided in S.B.  
6 No. 166, S.D. 1 (2009), will substantially reduce illness and  
7 assist in the maintenance of good health for the people of this  
8 State; now, therefore,  
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10 BE IT RESOLVED by the Senate of the Twenty-fifth  
11 Legislature of the State of Hawaii, Regular Session of 2009, the  
12 House of Representatives concurring, that the Auditor is  
13 requested to conduct an impact assessment report, pursuant to  
14 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social  
15 and financial impacts of mandating parity of coverage for oral  
16 and intravenous chemotherapy for all individual and group  
17 accident and health or sickness insurance policies that include  
18 coverage or benefits for the treatment of cancer, effective as  
19 of July 1, 2009 as provided in S.B. No. 166, S.D. 1 (2009); and  
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21 BE IT FURTHER RESOLVED that the Auditor is requested to  
22 submit findings and recommendations to the Legislature,  
23 including any necessary implementing legislation, not later than  
24 twenty days prior to the convening of the Regular Session of  
25 2010; and  
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27 BE IT FURTHER RESOLVED that certified copies of this  
28 Concurrent Resolution be transmitted to the Auditor and to the  
29 Insurance Commissioner, who, in turn, is requested to transmit  
30 copies to each insurer in the State that issues health insurance  
31 policies.