HOUSE RESOLUTION

REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK.

WHEREAS, the Legislature has given broad authority to the Department of Human Services to "administer the medical assistance programs for eligible public welfare and other medically needy individuals by establishing standards, eligibility, and health care participation rules, payment methodologies, reimbursement allowances, systems to monitor recipient and provider compliance"; and

WHEREAS, a type of medical assistance program developed by the Department of Human Services are the managed care programs such as "Hawaii QUEST" and "QUEST Expanded Access", in which Medicaid health care services are provided to clients through their health plan; and

WHEREAS, there are reports that the two health plans to whom the Department of Human Services have awarded contracts under the QUEST Expanded Access programs do not have adequate networks of primary care providers; and

WHEREAS, concerns arose that the State lacked adequate assurances from the two health plans that the plans had the ability to deliver services; and

WHEREAS, these concerns have led to lawsuits in the federal courts to block the contract awards under the QUEST Expanded Access programs; and

WHEREAS, it appears that rather than delegating those functions to the Department of Human Services, the Legislature needs to directly establish those standards, eligibility, and health care participation rules, payment methodologies, reimbursement allowances, systems to monitor recipient and provider compliance; and
WHEREAS, a source of precedent is California's Knox-Keene Health Care Service Plan Act of 1975, as amended, one of whose purposes is to ensure that subscribers and enrollees are able to access and receive health and medical services rendered in a manner providing continuity of care; and

WHEREAS, under the California legislation, a Knox-Keene license is issued to health care service plans to assure the public that these plans meet certain minimum standards; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that the Governor is requested to develop proposed legislation to mandate the size and extent of a managed care plan's specialty network based upon the California managed care law known as the "Knox-Keene Health Care Service Plan Act of 1975, as amended"; and

BE IT FURTHER RESOLVED that the Governor is requested to direct the participation and assistance of any appropriate agencies and personnel within the executive branch needed to develop the proposed legislation; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor and the Director of Human Services.

OFFERED BY: