

JAN 21 2011

S.B. NO. 941

A BILL FOR AN ACT

RELATING TO PALLIATIVE CARE.

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

1 SECTION 1. Chapter 431:10A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§431:10A- Coverage for palliative care. (a) Each
5 policy of accident and health or sickness insurance issued or
6 renewed in this State shall provide coverage for palliative care
7 to which a person is referred by a physician, osteopathic
8 physician, or nurse practitioner; provided that this section
9 shall not apply to accident-only, specified disease, hospital
10 indemnity, medicare supplement, long-term care, or other limited
11 benefit health insurance policy.

12 (b) For purposes of this section, "palliative care" means
13 care provided at any time after the diagnosis of a chronic or
14 serious medical condition for the treatment or management of
15 symptoms, such as pain, difficulty breathing, fatigue, nausea,
16 muscle weakness, motor impairment, difficulty sleeping, mental
17 or emotional distress, or other symptom, that interfere with an
18 individual's ability to engage in daily life activities.



1 Palliative care shall include care provided by a variety of
2 licensed providers including physicians, nurses, social workers,
3 nutritionists, naturopathic physicians, pharmacists, massage
4 therapists, respiratory therapists, physical therapists,
5 occupational therapists, psychologists, and other licensed
6 providers. Palliative care shall include care that is provided
7 in conjunction with other medical treatment that is intended to
8 cure a medical condition, disorder, or illness.

9 (c) Coverage for palliative care under this section shall
10 be provided to a covered person who is diagnosed with a chronic
11 or serious disease as well as to covered persons who are
12 caregivers, family members, or household members of a person who
13 is diagnosed with a chronic or serious disease."

14 SECTION 2. Chapter 432:1, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§432:1- Coverage for palliative care. (a) Each policy
18 of accident and health or sickness insurance issued or renewed
19 in this State shall provide coverage for palliative care to
20 which a person is referred by a physician, osteopathic
21 physician, or nurse practitioner; provided that this section
22 shall not apply to accident-only, specified disease, hospital



1 indemnity, medicare supplement, long-term care, or other limited
2 benefit health insurance policy.

3 (b) For purposes of this section, "palliative care" means
4 care provided at any time after the diagnosis of a chronic or
5 serious medical condition for the treatment or management of
6 symptoms, such as pain, difficulty breathing, fatigue, nausea,
7 muscle weakness, motor impairment, difficulty sleeping, mental
8 or emotional distress, or other symptom, that interfere with an
9 individual's ability to engage in daily life activities.

10 Palliative care shall include care provided by a variety of
11 licensed providers including physicians, nurses, social workers,
12 nutritionists, naturopathic physicians, pharmacists, massage
13 therapists, respiratory therapists, physical therapists,
14 occupational therapists, psychologists, and other licensed
15 providers. Palliative care shall include care that is provided
16 in conjunction with other medical treatment that is intended to
17 cure a medical condition, disorder, or illness.

18 (c) Coverage for palliative care under this section shall
19 be provided to a covered person who is diagnosed with a chronic
20 or serious disease as well as to covered persons who are
21 caregivers, family members, or household members of a person who
22 is diagnosed with a chronic or serious disease."



1 SECTION 3. Chapter 432:2, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§432:2- Coverage for palliative care. (a) Each policy
5 of accident and health or sickness insurance issued or renewed
6 in this State shall provide coverage for palliative care to
7 which a person is referred by a physician, osteopathic
8 physician, or nurse practitioner; provided that this section
9 shall not apply to accident-only, specified disease, hospital
10 indemnity, medicare supplement, long-term care, or other limited
11 benefit health insurance policy.

12 (b) For purposes of this section, "palliative care" means
13 care provided at any time after the diagnosis of a chronic or
14 serious medical condition for the treatment or management of
15 symptoms, such as pain, difficulty breathing, fatigue, nausea,
16 muscle weakness, motor impairment, difficulty sleeping, mental
17 or emotional distress, or other symptom, that interfere with an
18 individual's ability to engage in daily life activities.

19 Palliative care shall include care provided by a variety of
20 licensed providers including physicians, nurses, social workers,
21 nutritionists, naturopathic physicians, pharmacists, massage
22 therapists, respiratory therapists, physical therapists,



1 occupational therapists, psychologists, and other licensed
2 providers. Palliative care shall include care that is provided
3 in conjunction with other medical treatment that is intended to
4 cure a medical condition, disorder, or illness.

5 (c) Coverage for palliative care under this section shall
6 be provided to a covered person who is diagnosed with a chronic
7 or serious disease as well as to covered persons who are
8 caregivers, family members, or household members of a person who
9 is diagnosed with a chronic or serious disease."

10 SECTION 4. Chapter 432D, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§432D- Coverage for palliative care. (a) Each policy
14 of accident and health or sickness insurance issued or renewed
15 in this State shall provide coverage for palliative care to
16 which a person is referred by a physician, osteopathic
17 physician, or nurse practitioner; provided that this section
18 shall not apply to accident-only, specified disease, hospital
19 indemnity, medicare supplement, long-term care, or other limited
20 benefit health insurance policy.

21 (b) For purposes of this section, "palliative care" means
22 care provided at any time after the diagnosis of a chronic or



1 serious medical condition for the treatment or management of
2 symptoms, such as pain, difficulty breathing, fatigue, nausea,
3 muscle weakness, motor impairment, difficulty sleeping, mental
4 or emotional distress, or other symptom, that interfere with an
5 individual's ability to engage in daily life activities.

6 Palliative care shall include care provided by a variety of
7 licensed providers including physicians, nurses, social workers,
8 nutritionists, naturopathic physicians, pharmacists, massage
9 therapists, respiratory therapists, physical therapists,
10 occupational therapists, psychologists, and other licensed
11 providers. Palliative care shall include care that is provided
12 in conjunction with other medical treatment that is intended to
13 cure a medical condition, disorder, or illness.

14 (c) Coverage for palliative care under this section shall
15 be provided to a covered person who is diagnosed with a chronic
16 or serious disease as well as to covered persons who are
17 caregivers, family members, or household members of a person who
18 is diagnosed with a chronic or serious disease."

19 SECTION 5. New statutory material is underscored.

20



1 SECTION 6. This Act shall take effect on July 1, 2011.

2

INTRODUCED BY: Thayne Chun Oakland

Mr. Dennis

Carol Zuker

Robert

Will Eyo



Report Title:

Palliative Care; Health Insurance Required Coverage

Description:

Requires policies of accident and health or sickness insurance to provide coverage for palliative care. Defines palliative care.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

