

MAR 03 2011

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE
FOR SURVIVORS OF TRAUMATIC BRAIN INJURIES.

1 WHEREAS, traumatic brain injury is severe damage to the
2 brain caused by an external force that may produce a diminished
3 or altered state of consciousness and may result in an
4 impairment of cognitive abilities or physical functioning; and
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6 WHEREAS, traumatic brain injury is a leading cause of death
7 and disability among children and young adults; and
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9 WHEREAS, survivors of brain injuries can lead full lives,
10 thanks to lifesaving medical techniques and rehabilitation
11 services; and
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13 WHEREAS, survivors face a long rehabilitation process that
14 may not be covered by certain health benefit plans; and
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16 WHEREAS, it is important to ensure that insurers, hospital
17 and medical services plans, and health maintenance organizations
18 cover all forms of necessary and effective treatment for
19 survivors of traumatic brain injuries in this State; and
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21 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
22 that "[b]efore any legislative measure that mandates health
23 insurance coverage for specific health services, specific
24 diseases, or certain providers of health care services as part
25 of individual or group health insurance policies, can be
26 considered, there shall be concurrent resolutions passed
27 requesting the auditor to prepare and submit to the legislature
28 a report that assesses both the social and financial effects of
29 the proposed mandated coverage"; and
30



1 WHEREAS, section 23-51, Hawaii Revised Statutes, further
2 provides that "[t]he concurrent resolutions shall designate a
3 specific legislative bill that:

- 4
- 5 (1) Has been introduced in the legislature; and
 - 6
 - 7 (2) Includes, at a minimum, information identifying the:
 - 8
 - 9 (A) Specific health service, disease, or provider
 - 10 that would be covered;
 - 11
 - 12 (B) Extent of the coverage;
 - 13
 - 14 (C) Target groups that would be covered;
 - 15
 - 16 (D) Limits on utilization, if any; and
 - 17
 - 18 (E) Standards of care.
 - 19

20 For purposes of this part, mandated health insurance
21 coverage shall not include mandated optionals"; and
22

23 WHEREAS, section 23-52, Hawaii Revised Statutes, further
24 specifies the minimum information required for assessing the
25 social and financial impact of the proposed health coverage
26 mandate in the Auditor's report; and
27

28 WHEREAS, S.B. No. 948 (2011) mandates coverage for therapy
29 and services as a result of and related to acquired brain
30 injuries for all individual and group hospital or medical
31 service plans, policies, contracts, or agreements effective
32 January 1, 2012; and
33

34 WHEREAS, the Legislature believes that coverage for therapy
35 and services as a result of and related to acquired brain
36 injuries, as provided in S.B. No. 948 (2011), will help
37 survivors of acquired brain injuries in this State lead full,
38 productive lives; now, therefore,
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40 BE IT RESOLVED by the Senate of the Twenty-sixth
41 Legislature of the State of Hawaii, Regular Session of 2011, the
42 House of Representatives concurring, that the Auditor is
43 requested to conduct an impact assessment report, pursuant to
44 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social
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1 and financial impacts of mandating therapy and services for
2 survivors of acquired brain injuries for all individual and
3 group hospital or medical service plans, policies, contracts, or
4 agreements effective as of January 1, 2012, as provided in S.B.
5 No. 948 (2011); and
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7 BE IT FURTHER RESOLVED that the Auditor is requested to
8 submit findings and recommendations to the Legislature,
9 including any necessary implementing legislation, no later than
10 twenty days prior to the convening of the Regular Session of
11 2012; and
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13 BE IT FURTHER RESOLVED that certified copies of this
14 Concurrent Resolution be transmitted to the Auditor and to the
15 Insurance Commissioner, who, in turn, is requested to transmit
16 copies to each insurer in the State that issues health insurance
17 policies.
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19
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OFFERED BY: Erzanne Chun Oakland

J.L.R.

Chris Johnson

