

Honolulu, Hawaii

FEB 18 2011

RE: S.B. No. 948  
S.D. 1

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Health and Commerce and Consumer Protection, to which was referred S.B. No. 948 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES,"

beg leave to report as follows:

The purpose and intent of this measure is to require insurers, hospital and medical services plans, and health maintenance organizations to provide coverage for treatment, including cognitive and neurocognitive therapy, neurobehavioral and neuropsychological testing or treatment, and necessary post-acute transition services or community reintegration activities, of survivors of brain injuries to facilitate these patients' access to needed post-trauma therapies.

Your Committees received testimony in support of this measure from the Hawaii Disability Rights Center and two private citizens. Your Committees received testimony in opposition to this measure from the Hawaii Association of Health Plans and Hawaii Medical Service Association. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs and the American Family Life Assurance Company of Columbus (AFLAC).

Your Committees find that survivors of traumatic brain injury can lead full lives thanks to lifesaving medical techniques and rehabilitation services. Your Committees find that mandating certain levels of coverage for these services will enable these survivors to access the medical care they need to recover.




Cognitive rehabilitation therapy is provided by many different types of programs. Your Committees heard testimony indicating that some cognitive rehabilitative therapy programs may last for many years, sometimes decades. Your Committees also heard testimony that expressed concerns with the impact that a mandate for unlimited coverage for these types of therapies would have on insurers operating throughout the State.

Accordingly, your Committees have amended this measure by limiting the expanded coverage under this measure for therapy and services associated with acquired brain injuries to a period of up to six months from the date the injury occurred.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 948, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 948, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committees on Health and  
Commerce and Consumer  
Protection,

  
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ROSALYN H. BAKER, Chair

  
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JOSH GREEN, M.D., Chair





