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

11 For purposes of this part, mandated health insurance
12 coverage shall not include mandated optionals"; and

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

17 WHEREAS, S.B. No. 1227 has been introduced during the
18 Regular Session of 2013 and mandates coverage for therapy and
19 services as a result of and related to acquired brain injuries
20 for all individual and group accident and health or sickness
21 insurance, hospital or medical service, and health maintenance
22 organization plans, policies, contracts, and agreements
23 effective January 1, 2014; and

24 WHEREAS, the Legislature believes that coverage for therapy
25 and services as a result of and related to acquired brain
26 injuries, as provided in S.B. No. 1227, Regular Session of 2013,
27 will help survivors of acquired brain injuries in this State
28 lead full, productive lives; now, therefore,

29 BE IT RESOLVED by the Senate of the Twenty-seventh
30 Legislature of the State of Hawaii, Regular Session of 2013, the
31 House of Representatives concurring, that the Auditor is



1 requested to conduct an assessment, pursuant to sections 23-51
2 and 23-52, Hawaii Revised Statutes, of the social and financial
3 impacts of mandating therapy and services for survivors of
4 acquired brain injuries for all individual and group accident
5 and health or sickness, hospital or medical service, and health
6 maintenance organization plans, policies, contracts, and
7 agreements effective as of January 1, 2014, as provided in S.B.
8 No. 1227, the Regular Session of 2013; and
9

10 BE IT FURTHER RESOLVED that the Auditor is requested to
11 submit its findings and recommendations to the Legislature,
12 including any necessary implementing legislation, no later than
13 twenty days prior to the convening of the Regular Session of
14 2014; and
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16 BE IT FURTHER RESOLVED that certified copies of this
17 Concurrent Resolution be transmitted to the Auditor and to the
18 Insurance Commissioner, who, in turn, is requested to transmit
19 copies to each insurer in the State that issues health insurance
20 policies.
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