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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL  
EFFECTS OF REQUIRING HEALTH INSURANCE COVERAGE FOR MEDICAL  
SERVICES FOR WOMEN WITH DENSE BREAST TISSUE.

1           WHEREAS, House Bill No. 373, enacted as Act 5, Session Laws  
2 of Hawaii 2013, requires, beginning January 1, 2014, that every  
3 health care facility in which a mammography examination is  
4 performed provide a mammography report and notification to each  
5 patient who is categorized by the facility as having dense  
6 breast tissue; and

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8           WHEREAS, this statutory requirement specifies that the  
9 notification must include in the summary of the mammography  
10 report sent to the patient, pursuant to the federal Mammography  
11 Quality Standards Act, the following information:

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13           *Your mammogram shows that your breast tissue is*  
14 *dense. Dense breast tissue is very common and is not*  
15 *abnormal. However, dense breast tissue can make it*  
16 *harder to find cancer on a mammogram and may also be*  
17 *associated with an increased risk of breast cancer.*  
18 *This information about the result of your mammogram is*  
19 *given to you to raise your awareness. Use this*  
20 *information to talk to your physician as to whether,*  
21 *based on your risk, more screening tests might be*  
22 *useful. A report of your results was sent to your*  
23 *physician.; and*

24

25           WHEREAS, further screening is an essential diagnostic tool  
26 to detect breast cancer for women who are found to have dense  
27 breast tissue; and

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29           WHEREAS, health insurance coverage for further screening  
30 for women found to have dense breast tissue is not available,  
31 and, therefore, any additional screening for detection must be



1 borne out-of-pocket and in many instances is cost-prohibitive;  
2 and

3  
4 WHEREAS, three states--Connecticut, Illinois, and Indiana--  
5 have enacted legislation that mandates health insurance coverage  
6 for further screening for women found through mammography to  
7 have dense breast tissue; and

8  
9 WHEREAS, nationwide, about 50 percent of women are  
10 classified as having dense breast tissue; and

11  
12 WHEREAS, women who receive the notification required by Act  
13 5, Session Laws of Hawaii 2013, may seek further screening only  
14 to be informed that the additional screening is not covered by  
15 health insurance in Hawaii; and

16  
17 WHEREAS, House Bill No. has been introduced during the  
18 Regular Session of 2014 to mandate health insurance coverage for  
19 medical services for women with dense breast tissue; and

20  
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  
31 WHEREAS, section 23-51, Hawaii Revised Statutes, further  
32 provides that "[t]he concurrent resolutions shall designate a  
33 specific legislative bill that:

- 34
- 35 (1) Has been introduced in the Legislature; and
  - 36
  - 37 (2) Includes, at minimum, information identifying the:
    - 38
    - 39 (A) Specific health service, disease, or provider
    - 40 that would be covered;
    - 41
    - 42 (B) Extent of the coverage;



- 1 (C) Target groups that would be covered;
- 2
- 3 (D) Limits on utilization, if any; and
- 4
- 5 (E) Standards of care."; and
- 6

7 WHEREAS, section 23-52, Hawaii Revised Statutes, further  
8 specifies the minimum information required for assessing the  
9 social and financial impact of the proposed health coverage  
10 mandate in the Auditor's report; now, therefore,

11  
12 BE IT RESOLVED by the House of Representatives of the  
13 Twenty-seventh Legislature of the State of Hawaii, Regular  
14 Session of 2014, the Senate concurring, that the Auditor is  
15 requested to conduct an impact assessment report pursuant to  
16 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social  
17 and financial effects of mandating health insurance coverage for  
18 further screening for women who have been found through a  
19 mammography to have dense breast tissue; and

20  
21 BE IT FURTHER RESOLVED that the Auditor is requested to  
22 include in the impact assessment report data as to the incidence  
23 of cancer detection upon further screening where evidence of  
24 cancer was not found through a standard mammography; and

25  
26 BE IT FURTHER RESOLVED that as part of the impact  
27 assessment, the Auditor is requested to determine whether the  
28 notification requirement in Act 5, Session Laws of Hawaii 2013,  
29 is unnecessary such that this Act should be repealed; and

30  
31 BE IT FURTHER RESOLVED that the Auditor is requested to  
32 submit findings and recommendations to the Legislature,  
33 including any necessary implementing legislation, no later than  
34 20 days before the convening of the Regular Session of 2015; and



1 BE IT FURTHER RESOLVED that certified copies of this  
 2 Concurrent Resolution be transmitted to the Auditor and  
 3 Insurance Commissioner, who is requested to transmit a copy of  
 4 this Concurrent Resolution to each insurer in the State that  
 5 issues a health insurance policy.

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OFFERED BY:

<u><del>Handwritten signature</del></u>	<u>Handwritten signature</u>
<u>Cindy Evans</u>	<u>Della A. Rulitti</u>
<u>Beth Lukens</u>	<u>Handwritten signature</u>
<u>Grothia Thieden</u>	<u>J. J. K. Cole</u>
<u>Janette M. Matus</u>	<u>Brenda Kojacki</u>
<u>Handwritten signature</u>	<u>GIL</u>
<u>Handwritten signature</u>	<u>Rindalchizom</u>
<u>Handwritten signature</u>	<u>Melie Carroll</u>
<u>Handwritten signature</u>	<u>Nicole E. Lowen</u>
<u>Handwritten signature</u>	<u>Handwritten signature</u>
	<u>Karen Luwana</u>

MAR 07 2014

