
A BILL FOR AN ACT

RELATING TO HEALTH INSURANCE.

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

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

4 "§431:10A- Tobacco use cessation treatment coverage.

5 (a) Notwithstanding section 23-51, or any mandates for tobacco
6 use cessation coverage required by the federal Patient
7 Protection and Affordable Care Act, P.L. 111-148, each
8 individual and group accident and health or sickness insurance
9 policy issued or renewed in this State after December 31, 2013,
10 shall provide to the policyholder and the policyholder's covered
11 dependents coverage for tobacco use cessation treatment.

12 (b) Every insurer shall provide notices to its
13 policyholders regarding the coverage required by this section.
14 The notice shall be in writing and prominently positioned in any
15 literature or correspondence sent to policyholders and shall be
16 transmitted to policyholders within calendar year 2013 when
17 annual information is made available to policyholders or in any



1 other mailing to policyholders, but in no case later than
2 December 31, 2013.

3 (c) Coverage provided under this section shall not be
4 subject to copayment, deductible, and coinsurance provisions of
5 a health insurance policy. Tobacco use cessation coverage shall
6 pay for counseling and medications and include coverage for:

7 (1) At least four counseling sessions of at least thirty
8 minutes each; provided that counseling sessions shall
9 include group, private, or telephone counseling;

10 (2) Pharmacotherapy, meaning those products identified for
11 cessation use and listed by the United States
12 Preventive Services Task Force, including prescription
13 and over-the-counter nicotine replacement medications
14 and non-nicotine cessation medications; and

15 (3) At least two tobacco use cessation attempts per year.

16 (d) This section shall not be construed as limiting
17 benefits that are otherwise available to a policyholder under a
18 health insurance policy."

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



1 "§432:1- Tobacco use cessation treatment coverage. (a)
2 Notwithstanding section 23-51, or any mandates for tobacco use
3 cessation coverage required by the federal Patient Protection
4 and Affordable Care Act, P.L. 111-148, each employer group
5 health policy, contract, plan, or agreement issued or renewed in
6 this State after December 31, 2013, shall provide to the
7 subscriber and the subscriber's covered dependents coverage for
8 tobacco use cessation treatment.

9 (b) Every insurer shall provide notices to its subscribers
10 regarding the coverage required by this section. The notice
11 shall be in writing and prominently positioned in any literature
12 or correspondence sent to subscribers and shall be transmitted
13 to subscribers within calendar year 2013 when annual information
14 is made available to subscribers or in any other mailing to
15 subscribers, but in no case later than December 31, 2013.

16 (c) Coverage provided under this section shall not be
17 subject to copayment, deductible, and coinsurance provisions of
18 a health insurance policy. Tobacco use cessation coverage shall
19 pay for counseling and medications and include coverage for:

20 (1) At least four counseling sessions of at least thirty
21 minutes each; provided that counseling sessions shall
22 include group, private, or telephone counseling;



- 1 (2) Pharmacotherapy, meaning those products identified for
2 cessation use and listed by the United States
3 Preventive Services Task Force, including prescription
4 and over-the-counter nicotine replacement medications
5 and non-nicotine cessation medications; and
6 (3) At least two tobacco use cessation attempts per year.
7 (d) This section shall not be construed as limiting
8 benefits that are otherwise available to a subscriber under a
9 health insurance policy."

10 SECTION 3. Section 432D-23, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§432D-23 Required provisions and benefits.**

13 Notwithstanding any provision of law to the contrary, each
14 policy, contract, plan, or agreement issued in the State after
15 January 1, 1995, by health maintenance organizations pursuant to
16 this chapter, shall include benefits provided in sections
17 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
18 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,
19 431:10A-121, 431:10A-125, 431:10A-126, 431:10A-122, and
20 [~~431:10A-116.2,~~] 431:10A- , and chapter 431M."

21 SECTION 4. Statutory material to be repealed is bracketed
22



1 and stricken. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

3



Report Title:

Mandatory Health Insurance Coverage; Tobacco Use Cessation

Description:

Mandates health insurance coverage for tobacco use cessation treatments. Requires insurers to provide policyholders or subscribers information about tobacco use cessation treatment coverage. (SD1)

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

