

STAND. COM. REP. NO.

29

Honolulu, Hawaii

February 4, 2019

RE: H.B. No. 216
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 216
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to ensure that cancer patients have full access to effective treatment options at early stages of their illness by prohibiting insurers from requiring an insured, diagnosed with stage two cancer, to undergo step therapy prior to providing coverage for the drug prescribed by the insured's health care provider.

The Hawaii Medical Association, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and Hawaii Association of Health Plans provided comments.

Your Committee notes the concerns raised by the Hawaii Medical Association and Hawaii Association of Health Plans regarding coverage of investigational or experimental drugs that are still awaiting approval of the Food and Drug Administration.

HB216 HD1 HSCR HLT HMS 2019-1524




Your Committee has amended this measure by:

- (1) Requiring the State Auditor to perform an analysis to determine if the mandated benefits rise to the level of triggering the Patient Protection and Affordable Care Act's requirement to defray the cost of any new mandate in excess of the essential health benefits;
- (2) Requiring the State Auditor to perform an analysis to determine if an impact assessment report as required under section 23-51, Hawaii Revised Statutes, must be performed;
- (3) Requiring the State Auditor to perform an analysis to determine if this measure circumvents the medical necessity provision in section 432E-1.4, Hawaii Revised Statutes;
- (4) Changing its effective date to July 1, 2050, to promote further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 216, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 216, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,


JOHN M. MIZUNO, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: <i>HB 216</i>	Committee Referral: <i>HLT, CPC, FIN</i>	Date: <i>1-29-19</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	/			
2. KOBAYASHI, Bertrand (VC)	/			
3. BELATTI, Della Au	/			
4. NAKAMURA, Nadine K.	/			
5. SAN BUENAVENTURA, Joy A.		✓		
6. SAY, Calvin K.Y.		✓		
7. TOKIOKA, James Kunane	/			
8. WARD, Gene	/			
TOTAL (8)	<i>6</i>	<i>2</i>		
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <i>B. Key</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				