

STAND. COM. REP. NO.

1376

Honolulu, Hawaii

MAR 15 , 2019

RE: S.B. No. 1465
S.D. 2
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 S.B. No. 1465, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO TREATMENT INSURANCE BENEFITS,"

begs leave to report as follows:

The purpose of this measure is to require health insurance policies and plan contracts to cover certain costs associated with a petition for assisted community treatment benefits pursuant to section 334-123(b), Hawaii Revised Statutes.

Partners in Care, Catholic Charities Hawaii, Institute for Human Services, Chinatown Business & Community Association, HOPE Services Hawai'i, ALEA Bridge, Hawai'i Health & Harm Reduction Center, Hawaii Kai Homeless Task Force, and two individuals testified in support of this measure. Hawaii Medical Service Association and Kaiser Permanente Hawaii testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Department of the Attorney General provided comments.

Your Committee has amended this measure by:

- (1) Establishing a task force to investigate:

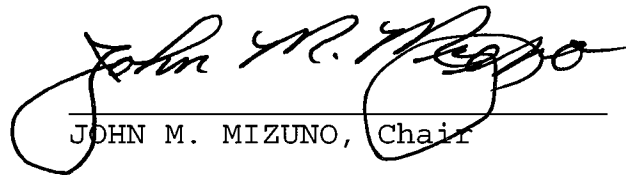


- (A) The costs of assisted community treatment benefits, including the costs associated with petitioning for assisted community treatment;
 - (B) Delivery of treatment; and
 - (C) Grant mechanisms to ensure the needs of individuals and families are met; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the concern of the Department of Commerce and Consumer Affairs and the Attorney General that this measure may be considered to add a new mandate, which may trigger the requirement of the State to defray the cost of this benefit under section 1311(d)(3) of the federal Patient Protection and Affordable Care Act, as well as requirement for the State Auditor to perform a sunrise analysis under 23-51, Hawaii Revised Statutes. Your Committee further notes the Attorney General's comments that, so far, no state has been subjected to defray the cost of additional benefits, and therefore there are no prior examples of how the State would meet this obligation.

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 S.B. No. 1465, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1465, S.D. 2, 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>SB 1465, SD2</i>	Committee Referral: <i>HLT, CPC, FIN</i>	Date: <i>3-14-19</i>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 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)	7			1

The recommendation is: Adopted Not Adopted
 If joint referral, _____ committee acronym(s) _____ did not support recommendation.

Vice Chair's or designee's signature: _____ *B. K.*

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