
A BILL FOR AN ACT

RELATING TO CONSUMER ADVOCATE FOR APPROPRIATE HEALTH CARE.

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

1 SECTION 1. The legislature finds that patients do not
2 always receive health care that is appropriate for their
3 individual situations and, at times, appropriate health care is
4 denied to a patient based upon an opinion or evaluation by a
5 source other than the treating physician. Although it is
6 undeniable that health care costs are high and ever-increasing
7 and that the cost of health care needs to be contained,
8 appropriate health care must not be denied based upon a desire
9 to contain costs.

10 The purpose of this Act is to empower the consumer advocate
11 to advocate for the provision of appropriate health care to each
12 health care consumer based upon the evaluation of every medical
13 opinion received, regardless of source, while according priority
14 to the medical opinion of the patient's treating physician.

15 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:



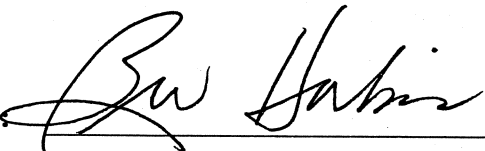
1 "§269- Evaluation of medical opinions; treating source
2 physician; advocacy. The consumer advocate shall advocate for
3 and take any necessary action on behalf of health care consumers
4 to receive appropriate health care based upon the evaluation of
5 all medical opinions received, regardless of source, while
6 according priority to the medical opinion of the health care
7 consumer's treating physician, under any:

- 8 (1) Employer group health policy, contract, plan, or
9 agreement under article 10A of chapter 431;
10 (2) Individual and group hospital or medical service plan,
11 policy, contract, or agreement under chapter 432; or
12 (3) Policy, plan, contract, or agreement under chapter
13 432D;
14 issued or renewed in this State after December 31, 2006."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 

JAN 25 2006

HB 2755

Report Title:

Consumer Advocate; Treating Physician Evaluations

Description:

Requires consumer advocate to take action on behalf of health care consumers to receive appropriate health care based on the evaluation of all medical opinions received, regardless of source, while according priority to the medical opinion of the health care consumer's treating physician.

