

FEB 21 2006

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR
SURVIVORS OF BRAIN INJURIES.

1 WHEREAS, traumatic brain injury is an insult to the brain,
2 not of a degenerative or congenital nature, caused by an
3 external force that may produce a diminished or altered state of
4 consciousness and which results in an impairment of cognitive
5 abilities or physical functioning; and

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7 WHEREAS, traumatic brain injury is a leading cause of death
8 and disability among children and young adults; and

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10 WHEREAS, survivors of traumatic brain injury can lead full
11 lives, thanks to lifesaving medical techniques and
12 rehabilitation services, but may face a long rehabilitation
13 process that may not be covered by certain health benefit plans;
14 and

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16 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
17 that "[b]efore any legislative measure that mandates health
18 insurance coverage for specific health services, specific
19 diseases, or certain providers of health care services as part
20 of individual or group health insurance policies, can be
21 considered, there shall be concurrent resolutions passed
22 requesting the auditor to prepare and submit to the legislature
23 a report that assesses both the social and financial effects of
24 the proposed mandated coverage"; and

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26 WHEREAS, section 23-51 further provides that "[t]he
27 concurrent resolutions shall designate a specific legislative
28 bill that:

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30 (1) Has been introduced in the legislature; and

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32 (2) Includes, at a minimum, information identifying the:



- 1
- 2 (A) Specific health service, disease, or provider
- 3 that would be covered;
- 4
- 5 (B) Extent of the coverage;
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- 7 (C) Target groups that would be covered;
- 8
- 9 (D) Limits on utilization, if any; and
- 10
- 11 (E) Standards of care.
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13 For the purposes of this part, mandated health insurance
 14 coverage shall not include mandated options"; and

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 16 WHEREAS, section 23-52, Hawaii Revised Statutes, further
 17 specifies the minimum information required for assessing the
 18 social and financial impact of the proposed health coverage
 19 mandate in the Auditor's report; and

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 21 WHEREAS, H.B. No. 1487 (2005), mandates health insurance
 22 coverage to survivors of brain injuries including, among other
 23 things, cognitive and neurocognitive therapy, neurobehavioral
 24 and neuropsychological testing or treatment, and necessary post-
 25 acute transition services or community reintegration activities
 26 for all policies and contracts, hospital and medical service
 27 plan contracts, medical service corporation contracts, and
 28 health maintenance organization plans and contracts issued after
 29 December 31, 2005; and

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 31 WHEREAS, the Legislature believes that mandatory health
 32 insurance coverage for survivors of brain injuries, as provided
 33 in H.B. No. 1487 (2005), will substantially assist survivors of
 34 traumatic brain injury in leading full lives; now, therefore,

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 36 BE IT RESOLVED by the Senate of the Twenty-third
 37 Legislature of the State of Hawaii, Regular Session of 2006, the
 38 House of Representatives concurring, that the Auditor is
 39 requested to conduct an impact assessment report, pursuant to
 40 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social
 41 and financial impacts of mandating coverage for survivors of
 42 brain injuries for all policies and contracts, hospital and
 43 medical service plan contracts, medical service corporation
 44 contracts, and health maintenance organization plans and



1 contracts issued after December 31, 2005, as provided in H.B.
2 No. 1487 (2005); and

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4 BE IT FURTHER RESOLVED that the Auditor is requested to
5 submit findings and recommendations to the Legislature,
6 including any necessary implementing legislation, twenty days
7 prior to the convening of the Regular Session of 2007; and

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9 BE IT FURTHER RESOLVED that certified copies of this
10 Concurrent Resolution be transmitted to the Auditor and to the
11 Insurance Commissioner, who in turn is requested to transmit
12 copies to each insurer in the State that issues health insurance
13 policies.

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OFFERED BY:



