

Honolulu, Hawaii

March 20, 2008

RE: S.B. No. 3015
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 3015, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT,"

begs leave to report as follows:

The purpose of this bill is to help protect consumers of health insurance by prohibiting certain practices by managed care plans, including:

- (1) Disenrollment from a health plan because of a medical condition;
- (2) Withdrawal of authorization by the health plan for a procedure after the provider has provided or begins to provide health care services;
- (3) Health insurance contract modifications during the term of the contract, unless the modifications are agreed upon;
- (4) Post claims underwriting, such as terminating an individual's health plan coverage because the insurer discovers a medical condition that the individual did not know about at the time of underwriting; and



- (5) Establishing an eligible charge for a nonparticipating provider service that is different from the eligible charge paid for the same service rendered by a participating provider.

The Department of Commerce and Consumer Affairs supported this bill.

Your Committee has amended this bill by changing the effective date to January 1, 2050, to encourage further discussion.

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. 3015, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3015, S.D. 2, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

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



JOSHUA B. GREEN, M.D., Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCP 1207-08

Record of Votes of the Committee on Health

| | | | | |
|--|--|---------------------------|-------------|----------------|
| Bill/Resolution No.: SB 3015, SD2 | Committee Referral: HLT, CPC/JUD | Date: 3-14-2008 | | |
| <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. GREEN, Josh, M.D. (C) | ✓ | | | |
| 2. MIZUNO, John (VC) | ✓ | | | |
| 3. AWANA, Karen Leinani | | | | ✓ |
| 4. BELATTI, Della Au | | | | ✓ |
| 5. BERTRAM, Joe, III | ✓ | | | |
| 6. CABANILLA, Rida T.R. | | | | ✓ |
| 7. RHOADS, Karl | ✓ | | | |
| 8. SHIMABUKURO, Maile S. L. | | | | ✓ |
| 9. TOKIOKA, James Kunane | ✓ | | | |
| 10. WARD, Gene, Ph.D. | ✓ | | | |
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| TOTAL (10) | 6 | | | 4 |
| 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: | | | | |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office | | | | |