HENRY OLIVA DEPUTY DIRECTOR



## STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES

P. O. Box 339 Honolulu, Hawaii 96809-0339

January 24, 2008

#### **MEMORANDUM**

TO:

Honorable Maile S.L. Shimabukuro, Chair

House Committee on Human Services and Housing

FROM:

Lillian B. Koller, Director

SUBJECT:

H.B. 2000 - RELATING TO HEALTH INSURANCE

Hearing:

Thursday, January 24, 2008, 8:30 a.m.

Conference Room 329, State Capitol

#### PURPOSE:

The purpose of this bill is to require that hearing aid devices be included in mandatory insurance coverage by Medicaid and private health insurers.

#### **DEPARTMENT'S POSITION:**

The Department of Human Services' Medicaid programs already provide coverage for hearing aids for children and adults as prescribed by a licensed physician and fitted by a licensed practitioner. The hearings aids are included as part of coverage under durable medical equipment. As such, Section 2 of this bill requiring Medicaid coverage is not necessary.

Thank you for the opportunity to comment on this bill.



LINDA LINGLE GOVERNOR

JAMES R. AIONA, JR. LT. GOVERNOR

#### STATE OF HAWAII OFFICE OF THE DIRECTOR

#### DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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LAWRENCE M. REIFURTH DIRECTOR

RONALD BOYER
DEPUTY DIRECTOR

#### TO THE HOUSE COMMITTEE ON HUMAN SERVICES & HOUSING

### TWENTY-FOURTH LEGISLATURE Regular Session of 2008

Thursday, January 24, 2008 8:30 a.m.

#### WRITTEN TESTIMONY ONLY

#### TESTIMONY ON HOUSE BILL NO. 2000 - RELATING TO HEALTH INSURANCE.

TO THE HONORABLE MAILE S.L. SHIMABUKURO, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is J. P. Schmidt, State Insurance Commissioner ("Commissioner"), testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department takes no position on this bill, which creates a mandated benefit for hearing aids.

The Department does not have the medical expertise necessary to express an informed opinion on the merits of this bill. In addition, mandated benefits help some patients, but also increase premiums for consumers. Weighing these complex issues is best left to the wisdom of the Legislature. It should also be noted that prior to enacting mandatory health insurance coverage, there must be a review by the Legislative Auditor pursuant to Hawaii Revised Statutes section 23-51.

We thank this Committee for the opportunity to present testimony on this matter.



### DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814 Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

January 24, 2008

# TESTIMONY TO THE HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING

House Bill 2000 - Relating to Health Insurance

The Disability and Communication Access Board (DCAB) supports the intent of House Bill 2000 relating to health insurance that requires hearing aid devices be included in mandatory insurance coverage for Medicaid and private health insurance. While we support the intent of the bill, we understand mandated benefits may help some people but may also increase premiums for others. We defer to the Department of Human Services regarding the cost implications of mandated insurance coverage.

Currently private health insurance plans provide partial coverage for eyeglasses to correct vision. Hearing is an equally important sense on which an individual depends, so an individual with a hearing loss should be assisted in purchasing hearing aids by partial insurance coverage through an insurance carrier.

Although DCAB supports the intent of House Bill 2000, it is a requirement that a study is conducted related to the social and financial effects of requiring health insurers to offer coverage for hearing aids. Due to this requirement, DCAB recommends that the Legislative Auditor conduct a study, as stated in House Concurrent Resolution (HCR) 15.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

Chairperson

Legislative Committee

FRANCINE WAI
Executive Director



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Hawaii Medical Association 1360 S. Beretania St. Suite 200 Honolulu, HI 96814 (808) 536-7702 (808) 528-2376 fax www.hmaonline.net January 24, 2008

To: Rep. Maile S. L. Shimabukuro, Chair

Rep. Karl Rhoads, Vice Chair

Committee on Human Services and Housing

From: Cynthia Goto, M.D., President

Linda Rasmussen, M.D. and Philip Hellreich, M.D.,

Please deliver to: Committee on Human Services & Housing. 1-24-08, Thurs.

> 8am Conf. Rm.329

Legislative Co-Chairs

Paula Arcena, Executive Director Dick Botti, Government Liaison

RE: <u>HB2000 Relating to Health Insurance (requires that hearing aid devices be included in mandatory insurance coverage for Medicaid and private health insurance).</u>

The HMA supports the intent of the above-stated bill to provide for needed medical care, but has concerns about adding to Hawaii's already long list of mandated health insurance benefits. The addition of more benefits increases health care costs, thereby increasing premiums and putting health care coverage out of reach for more of our residents. For that reason and those explained below, the HMA is opposed to mandated benefits.

Mandated benefits should consist of core benefits that are limited to medical needs. Many existing benefits, such as mammograms, immunizations, mental health and alcohol and drug dependence treatment, are necessary to maintain the health of Hawaii's citizens. These benefits warrant mandating because they are cost effective by preventing future illness, which would be far more costly to treat and cure. The HMA strongly believes that every member of our society needs and deserves a core group of medical and surgical benefits, including psychiatry and addition medicine.

Over and above these benefits, the HMA generally favors free market solutions and opposes mandated benefits, because they significantly increase the cost of health care and ultimately increase the number of uninsured or underinsured people. However, it is important to retain some flexibility in order to reflect advances in medical science and to address those instances in which the free market does not induce third party payers to cover new diagnostic and therapeutic services.

While it is vitally important to consider the cumulative cost of mandated benefits, the delivery of quality health care should not be prohibited with an arbitrary cap.

Following the 2001 legislative session, the HMA participated in the Mandated Benefits Task Force, convened by the Insurance Commissioner, and served on committees led by former Representatives Ken Hiraki and Dennis Arakaki and Senator Brian Taniguchi. The task force and its committees spent a significant amount of time discussing this issue.

Unfortunately, the legislature did not act upon the recommendations of the task force. While the report is 6 years old, we think it would be helpful for this committee to review the Task Forces' report and re-visit this issue before adding mandated benefits.

Thank you for the opportunity to testify on this matter.

## MCCORRISTON MILLER MUKAI MACKINNON LIP

#### ATTORNEYS AT LAW

January 22, 2008

Honorable Maile S. L. Shimabukuro, Chair Honorable Karl Rhoads, Vice Chair Committee on Human Services and Housing House of Representatives State Capitol 415 South King Street Honolulu, Hawaii 96813

Re: H.B. No. 2000 RELATING TO HEALTH INSURANCE

Dear Chair Shimabukuro, Vice Chair Rhoads, and Committee Members:

On behalf of the American Family Life Assurance Company of Columbus (AFLAC), we respectfully submit the following written testimony with respect to House Bill No. 2000, relating to health insurance which is to be heard by your Committee on Human Services and Housing on January 24, 2008.

H.B. No. 2000 is intended to require that hearing aid devices be included in mandatory insurance coverage for medicaid and private health insurance. However, there are certain types of supplementary health insurance for which such mandated coverage of hearing aid devices would not be appropriate. Specifically, there are certain types of limited benefit insurance, for example, supplemental insurance covering only accidental injuries, hospital stays or specific diseases, for which it would not be appropriate to mandate coverage of hearing aid devices.

At present, limited benefit insurance policies allow consumers to acquire supplemental insurance coverage, for example for specific diseases, at a low cost. Requiring that such limited benefit insurance policies (e.g., accidental injury, hospital confinement or specified disease) also include hearing aid devices is not appropriate and is unnecessary because such policies are intended to be supplemental and limited in nature. Requiring limited benefit insurance to cover hearing aid devices will not result in additional protection for the consumer, as such coverage will be provided in the primary insurance, and will likely harm the consumer by unnecessarily increasing the cost of limited benefit insurance and/or causing such insurance to become unavailable.

Honorable Maile S. L. Shimabukuro, Chair Honorable Karl Rhoads, Vice Chair Committee on Human Services and Housing January 22, 2008 Page 2 of 2

For the foregoing reasons, we support the amendment of Section 3 of H.B. No. 2000 to delete from subsection (a) of the new section to be added to Hawaii Revised chapter 431:10A "limited benefit insurance" by adding the following, which is based upon the language currently contained in Hawaii Revised Statutes section 431:10A-121:

"§431:10A- Hearing aid devices; notice. (a) the contrary notwithstanding, law to health policy, contract, plan, or agreement issued or renewed in this State after December 31, than an accident-only, specified indemnity, hospital medicare supplement, long-term care, or other limited benefit health insurance policy, shall provide, not as an employer option, coverage the cost of hearing aid devices for the policyholder and individuals covered under the policy, contract, plan, or agreement."

(Additional language underscored.)

The proposed exception is based upon similar exceptions in mandated coverage for limited benefit health insurance policies. See, e.g., HRS § 431:10A-121 ("Each policy of accident and health or sickness insurance providing coverage for health care, other than an accident-only, specified disease, hospital indemnity, medicare supplement, long-term care, or other limited benefit health insurance policy, that is issued or renewed in this State, shall provide coverage for outpatient diabetes self-management training, education, equipment, and supplies . . . ").

Thank you for your consideration of the foregoing.

Very truly yours,

MCCORRISTON MILLER MUKAI MACKINNON LLP

Peter J. Hamasaki

## Hawaii Association of Health Plans

January 24, 2008

The Honorable Maile Shimabukuro, Chair The Honorable Karl Rhoads, Vice Chair House Committee on Human Services and Housing

### Re: HB 2000 – Relating to Health Insurance

Dear Chair Shimabukuro, Vice Chair Rhoads and Members of the Committee:

My name is Rick Jackson and I am President of the Hawaii Association of Health Plans ("HAHP"). HAHP is a non-profit organization consisting of seven (7) member organizations:

AlohaCare
Hawaii Management Alliance Association (HMAA)
HMSA
Hawaii-Western Management Group, Inc. (HWMG)
MDX Hawai'i
University Health Alliance (UHA)
UnitedHealthcare (UHC)

Our mission is to promote initiatives aimed at improving the overall health of Hawaii. We are also active participants in the legislative process. Before providing any testimony at a Legislative hearing, all HAHP member organizations must be in unanimous agreement of the statement or position.

Thank you for the opportunity to testify in opposition to HB 2000, which would require health plans to provide coverage for hearing aid devices. HAHP recognizes that legislative health mandates are often driven by the desire for improved health care services to the community; as health plans, our member organizations are committed to the same ideal. In general, however, HAHP member organizations oppose legislative health mandates as inefficient mechanisms for health care improvement for three (3) reasons:

- 1. Mandates, by their basic nature, increase health care costs for employers and employees.
- 2. We believe employers should have the right to, working with their insurer, define the benefit package they offer to their employees. Mandates misallocate scarce resources by requiring consumers (and their employers) to spend available funds on benefits that they would otherwise not choose to purchase.

3. Mandates impose static clinical procedures which can fail to promote evidence-based medicine, defined as the daily practice of medicine based on the highest level of available evidence determined through scientific study. Evidence-based medicine promotes high quality care. Unfortunately, even when a mandate promotes evidence-based medicine when adopted, the mandate does not timely change to reflect medical advances, new medical technology, or other new developments. Mandates can become obsolete or even harmful to patients.

Thank you for the opportunity to testify.

Sincerely,

Rick Jackson

President



An Independent Licensee of the Blue Cross and Blue Shield Association

January 24, 2008

The Honorable Maile Shimabukuro, Chair The Honorable Karl Rhoads, Vice Chair

House Committee on Human Services and Housing

Re: HB 2000 – Relating to Health Insurance

Dear Chair Shimabukuro, Vice Chair Rhoads and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 2000 which would require health plans to provide coverage for hearing aid devices.

HMSA's plans do provide coverage for hearing aids under both our Preferred Provider Plan and Health Plan Hawaii Plus (our HMO).

In addition, we believe that prior to passing any new legislation which would require health plans to provide benefits not currently covered in their plan offerings, the Legislature should request an Auditor's study as required under Hawaii Revised Statutes 23-51 and 23-52. This study will provide decision-makers with objective information prior to including these new benefits. With health care costs continuing to escalate it is important to consider the impact that requiring such benefits will have on the cost of health care, especially for local employers who typically bear the brunt of such cost increases.

Thank you for the opportunity to provide testimony on HB 2000.

Sincerely,

Jennifer Diesman

Director, Government Relations

From: Amanda K. Kaahanui, testifying as a parent

Date: Monday, January 21, 2008

Subject: In support of HB 2000 – Relating to Health Insurance

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am the parent of Ikaika Kaahanui, a child with bi-lateral hearing loss at the moderate to severe level. He is also a vibrant, active 4 year old! When my Ikaika was identified with hearing loss at just 2 months of age, our family was overwhelmed. Ikaika not only has hearing loss but has a tracheotomy tube for breathing and a gastrostomy tube for nourishment. Because of Ikaika's medical condition, he qualified as medically fragile and approved for Hawaii's Medicaid system. We were relieved to discover that Medicaid would pay for Ikaika's hearing aids because our private insurance, HMSA covers so small a portion, it would have not been of any true help to us at all. We have also discovered, after 4 years, that HMSA does not support us in any way if the hearing aids break or need to be repaired, which has been the case 3 times. If our private insurance paid for hearing aids like they pay for glasses, then that would have one less check the state of Hawaii would have had to pay and continues to pay, on Ikaika's behalf.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without such developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii will be a leader in taking action for future generations of children born with hearing loss. This bill will no doubt make your jobs easier in the future, as funding for educational support services for the deaf and hard of hearing will be greatly reduced if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss. Parents should not have to make the choice between allowing their child to hear, communicate and talk and putting food on the table or a roof over their heads.

Please support HB 2000 for the future generations of Hawaii's keiki with hearing loss. . Thank you for the opportunity to present this testimony.

From: Yoko Kim, testifying as a parent

Date: Tuesday, January 22, 2008

Subject: In support of HB 2000 – Relating to Health Insurance

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am the parent of, Candace Kim, a child with Severe to Profound hearing loss. When my child was identified with hearing loss at birth, my family was overwhelmed with the burden of having to find hundreds of dollars to pay for her hearing aids because our insurance did not cover the cost.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

Please support HB 2000 for the future generations of Hawaii's children with hearing loss. Thank you for the opportunity to present this testimony.

Yoko Kim

From: Shari Goo-Yoshino, testifying as a parent

Date: Monday, January 21, 2008

Subject: In support of HB 2000 - Relating to Health Insurance

Date of the hearing: January 24, 2008, 8:30 am

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am the parent of, Brandt Yoshino, a child with Auditory Neuropathy and hearing loss. My son was identified with a hearing impairment after being born 3 months early and prior to his extended stay at the hospital. His hearing impairment is one of his greatest challenges as well as the cost of his medical expenses.

Brandt requires hearing aids to become aware of sounds, discriminate between sounds, and relate meaning with sounds, all processes that you and I as hearing persons take for granted. Hearing aids maximize his potential to hear and understand others for learning. And at a very basic level, hearing aids support survival as they allow him to hear sounds of warning and danger.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii's legislature can be in the forefront of states in taking action for future generations of children born with hearing loss. This bill, will cut future costs and efforts, as funding for educational support services for the deaf and hard of hearing will no longer be needed if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss.

Please support HB 2000. Thank you for the opportunity to present this testimony.

To; Rep. Maile Shimabukuro-Chair, Rep. Karl Rhodes-Vice Chair, and the committee on Human Services

and Housing/State of Hawaii

From; Malia Cross, testifying as a Pediatric Community Care Nurse

Date; Monday, January 21, 2008

Subject; In support of HB 2000-Relating to Health Insurance

I am writing in strong support of House Bill 2000, relating to Health Insurance coverage for the cost of Hearing Aids.

I am a Pediatric Home Care Nurse, with several patients who require hearing aids. These families find themselves burdened with the additional cost of buying hearing aids for their hearing impaired children.

Their insurance doesn't cover the cost of the hearing aids.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing

aids for children and adults with hearing loss. For the children I care for, it is imperative that they receive hearing aids as soon as possible. Language and developmental skills are delayed without hearing aids.

Behavioral problems arise, with frustration and withdrawal often evident.

Please support this bill, as Hawaii can be at the forefront in taking action for future generations of children born with hearing loss. Providing early intervention with hearing aids will save the state funding for special education for the deaf.

Please support HB 2000 for the future generations of Hawaii's keiki with hearing loss. Thank you for the opportunity to present this testimony.

Sincerely, Malia Cross maliacross@aol.com CCC LPN To: Rep Maile S.L.Shimabukuro, Chair,

Rep. Karl Rhodes, Vice Chair

Committee Member on Human Services and Housing

From: Charlene Ono, PHN

East Honolulu PHN Section

Date: January 22, 2008

Subject: HB 2000 - Relating to Health Insurance coverage for the cost of Hearing Aids

I strongly support House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids.

I am a Public Health Nurse who works with families of children with special needs in the Honolulu and Windward schools. I witness the burden families go through in accepting their child's hearing loss condition, then discovering that they must pay out-of-pocket for her / his hearing aids because their insurance does not cover this necessary appliance.

This bill will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii's legislature can be in the forefront of states in taking action for future generations of children born with hearing loss. This bill, will no doubt make your jobs easier in the future, as funding for educational support services for the deaf and hard of hearing will no longer be needed if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss.

Please support HB 2000 for the future generations of Hawaii's keiki with hearing loss. Thank you for the opportunity to present this testimony.

From: Michelle Zippay, testifying as an interested party

Date: Monday, January 21, 2008

Subject: In support of HB 2000 – Relating to Health Insurance

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am a Pediatric Nurse, and in my work I meet many children with varying degrees of hearing loss. Some of these children are born with conditions that cause hearing loss, and some acquire hear loss from infections or medications that are necessary for their treatment. Many times these families are already burdened with medical bills, loss of work hours while caring for a sick child, and other financial burdens. Now they must pay hundreds of for hearing aids because insurance did not cover the cost!

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii's legislature can be in the forefront of states in taking action for future generations of children born with hearing loss. This bill will no doubt make your jobs easier in the future, as funding for educational support services for the deaf and hard of hearing will no longer be needed if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss.

Please support HB 2000 for the future generations of Hawaii's kieki with hearing loss. . Thank you for the opportunity to present this testimony.

Michelle Zippay RNC Pediatric Nurse Educator Kapi'olani Medical Center for Women and Children

Phone: 983-6065 Fax: 983-8420

Email: michellez@kapiolani.org

From: Mayumi Honda, testifying as a parent

Date: Tuesday, January 22, 2008

Date of hearing: January 24, 2008, 8:30 am

Subject: In support of HB 2000 – Relating to Health Insurance

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am the parents of, Reina Gammarino, a child with profound hearing loss. When my child was identified with hearing loss at just 2 months of age, my family was overwhelmed with the burden of having to find hundreds of dollars to pay for her/his hearing aids because our insurance did not cover the cost.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii's legislature can be in the forefront of states in taking action for future generations of children born with hearing loss. This bill, will no doubt make your jobs easier in the future, as funding for educational support services for the deaf and hard of hearing will no longer be needed if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss.

Please support HB 2000 for the future generations of Hawaii's kieki with hearing loss. Thank you for the opportunity to present this testimony.

From: Katherine J. Kim, testifying as a parent

Date: Monday, January 22, 2008

Subject: In support of HB 2000 – Relating to Health Insurance

I am writing in strong support of House Bill 2000, Relating to Health Insurance coverage for the cost of Hearing Aids

I am the parent of, Harrison Vicic, a child with profound hearing loss. When my child was identified with hearing loss at birth, my family was overwhelmed with the burden of having to find thousands of dollars to pay for her/his hearing aids because our insurance did not cover the cost.

I support this bill that will hold insurance companies liable to cover the cost of reasonably priced hearing aids for children and adults with hearing loss. For deaf and hard of hearing children, immediate auditory stimulation through hearing aids is proven to be most important in reducing the risk of language and developmental delays. Without language and developmental delays, the deaf and hard of hearing children in the state of Hawaii can learn to speak and hear similar to that of their hearing peers.

If you support this bill and work for its passage, Hawaii's legislature can be in the forefront of states in taking action for future generations of children born with hearing loss. This bill will no doubt make your jobs easier in the future, as funding for educational support services for the deaf and hard of hearing will no longer be needed if children receive timely and appropriate amplification (hearing aids) upon diagnosis of hearing loss.

Please support HB 2000 for the future generations of Hawaii's kieki with hearing loss. Thank you for the opportunity to present this testimony.

Sincerely,

Katherine J. Kim