

JAN 22 2010

A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1 SECTION 1. Chapter 431, article 10A, Hawaii Revised
2 Statutes, is amended by adding a new section to part I to be
3 appropriately designated and to read as follows:
4 "§431:10A- Prescription drug coverage; medically
5 necessary; continuation of coverage. Any insurer who issues a
6 policy that offers coverage for prescription drug benefits shall
7 offer to continue to any insured who enters into a policy with
8 the insurer on or after July 1, 2010 a coverage for prescription
9 drug benefits that is identical to the coverage offered to the
10 insured under the insured's previous health plan.

11 For the purposes of this section:

12 "Coverage" means the benefits, costs, and requirements for
13 patient access to medical products and services as enumerated in
14 the written explanation of benefits document issued by the
15 health carrier.

16 "Identical" means the exact benefit as provided in the
17 written explanation of benefits document issued by the health
18 carrier.



1 "Prescription drug benefits" means the prescription drug
2 benefits as defined in the explanation of benefits document
3 issued by the health insurance carrier that describes the cost,
4 cost-sharing, and available medications, as well as any
5 utilization management requirements that patients must meet in
6 order to access the prescribed drug."

7 SECTION 2. Chapter 431, article 10A, Hawaii Revised
8 Statutes, is amended by adding a new section to part II to be
9 appropriately designated and to read as follows:

10 "§431:10A- Prescription drug coverage; medically
11 necessary; continuation of coverage. Any insurer who issues a
12 policy that offers coverage for prescription drug benefits shall
13 offer to continue to any insured who enters into a policy with
14 the insurer on or after July 1, 2010 a coverage for prescription
15 drug benefits that is identical to the coverage offered to the
16 insured under the insured's previous health plan.

17 For the purposes of this section:

18 "Coverage" means the benefits, costs, and requirements for
19 patient access to medical products and services as enumerated in
20 the written explanation of benefits document issued by the
21 health carrier.



1 "Identical" means the exact benefit as provided in the
2 written explanation of benefits document issued by the health
3 carrier.

4 "Prescription drug benefits" means the prescription drug
5 benefits as defined in the explanation of benefits document
6 issued by the health insurance carrier that describes the cost,
7 cost-sharing, and available medications, as well as any
8 utilization management requirements that patients must meet in
9 order to access the prescribed drug."

10 SECTION 3. Chapter 432, article 1, Hawaii Revised
11 Statutes, is amended by adding a new section to part VI to be
12 appropriately designated and to read as follows:

13 "§432:1- Prescription drug coverage; medically
14 necessary; continuation of coverage. Any mutual benefit society
15 that issues a plan or contract that offers coverage for
16 prescription drug benefits shall offer to continue to any member
17 who is covered under a plan or contract that is entered into
18 with the mutual benefit society on or after July 1, 2010 a
19 coverage for prescription drug benefits that is identical to the
20 coverage offered to the member under the member's previous
21 health plan.

22 For the purposes of this section:



1 "Coverage" means the benefits, costs, and requirements for
2 patient access to medical products and services as enumerated in
3 the written explanation of benefits document issued by the
4 health carrier.

5 "Identical" means the exact benefit as provided in the
6 written explanation of benefits document issued by the health
7 carrier.

8 "Prescription drug benefits" means the prescription drug
9 benefits as defined in the explanation of benefits document
10 issued by the health insurance carrier that describes the cost,
11 cost-sharing, and available medications, as well as any
12 utilization management requirements that patients must meet in
13 order to access the prescribed drug."

14 SECTION 4. Chapter 432D, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§432D- Prescription drug coverage; medically necessary;
18 continuation of coverage. Any health maintenance organization
19 that that issues a contract offers coverage for prescription
20 drug benefits shall offer to continue to any member who is
21 covered under a contract entered into on or after July 1, 2010 a
22 coverage for prescription drug benefits that is identical to the



1 coverage offered to the member under the member's previous
2 health plan.

3 For the purposes of this section:

4 "Coverage" means the benefits, costs, and requirements for
5 patient access to medical products and services as enumerated in
6 the written explanation of benefits document issued by the
7 health carrier.

8 "Identical" means the exact benefit as provided in the
9 written explanation of benefits document issued by the health
10 carrier.

11 "Prescription drug benefits" means the prescription drug
12 benefits as defined in the explanation of benefits document
13 issued by the health insurance carrier that describes the cost,
14 cost-sharing, and available medications, as well as any
15 utilization management requirements that patients must meet in
16 order to access the prescribed drug."

17 SECTION 5. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

20 SECTION 6. New statutory material is underscored.



1 SECTION 7. This Act shall take effect upon its approval.

2

INTRODUCED BY: David Ydga



Report Title:

Health Insurance; Drug Coverage

Description:

Requires health insurers and like entities to offer at least the same drug coverage to the insured that the insured had under the insured's previous policy with a different insurer or like entity.

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