
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.

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

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

20 For the purposes of this section:

21 "Coverage" means the benefits, costs, and requirements for
22 patient access to medical products and services as enumerated in

1 the written explanation of benefits document issued by the
2 health carrier.

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

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

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

15 **"§432:1- Prescription drug coverage; medically**
16 **necessary; continuation of coverage.** Any mutual benefit society
17 that that issues a plan or contract offers coverage for
18 prescription drug benefits shall offer to continue to any member
19 who is covered under a plan or contract that is entered into
20 with the mutual benefit society on or after July 1, 2010 a
21 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 4. Chapter 432D, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:

20 **"§432D- Prescription drug coverage; medically necessary;**
21 **continuation of coverage.** Any health maintenance organization
22 that issues a contract that offers coverage for prescription

1 drug benefits shall offer to continue to any member who is
2 covered under a contract entered into on or after July 1, 2010,
3 coverage for prescription drug benefits that is identical to the
4 coverage offered to the member under the member's previous
5 health plan.

6 For the purposes of this section:

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

11 "Identical" means the exact benefit as provided in the
12 written explanation of benefits document issued by the health
13 carrier.

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

20 SECTION 5. This Act does not affect rights and duties that
21 matured, penalties that were incurred, and proceedings that were
22 begun before its effective date.

1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 2050.

3

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. Effective 7/1/50. (SD1)

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