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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that childhood obesity  
2 constitutes one of Hawaii's most pressing health problems today.  
3 Obesity in children has been associated with the growing  
4 incidence of type II diabetes, poor self-esteem, and poor health  
5 as adults. Some communities in Hawaii have much higher rates of  
6 obesity when compared to the rest of the nation.

7           Since the pediatrician is usually the first line of  
8 intervention with a child's health, anticipatory guidance from  
9 pediatricians and family physicians is likely to offer an  
10 effective intervention to evaluate, treat, and prevent obesity.  
11 The Hawaii pediatric weight management toolkit was designed in  
12 response to the childhood obesity epidemic here in Hawaii. The  
13 toolkit provides physicians with data about the child. It  
14 includes worksheets to fill out that assess the child's medical  
15 history, activity, and nutritional habits. The toolkit also  
16 provides behavioral tip sheets for physicians to review with the

1 parent and child, and forms that parents are asked to fill out  
2 with information about the child.

3 Behavioral changes are suggested in five areas: reducing  
4 sugar-sweetened drinks, reducing sedentary activities,  
5 developing a strategy to deal with fast foods, encouraging more  
6 physical activity, and alternatives to white rice.

7 The purpose of this Act is to require health insurance  
8 providers to include in their policies coverage for weight  
9 management and obesity prevention, evaluation, and guidance  
10 services for children covered under the policy.

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

14 **"§431:10A- Weight management and obesity prevention**  
15 **coverage; children.** (a) All individual and group accident and  
16 health or sickness insurance policies, other than accident-only,  
17 specified disease, hospital indemnity, medicare supplement,  
18 long-term care, or other limited benefit health insurance  
19 policies, shall provide coverage for weight management and  
20 obesity prevention, evaluation, and guidance services for any  
21 dependent of a subscriber; provided that:

1       (1) The dependent is covered by the subscriber's policy;  
2           and

3       (2) The dependent is under the age of sixteen years.

4       (b) For the purposes of this section, "weight management  
5 and obesity prevention, evaluation, and guidance services" means  
6 the application of the Hawaii pediatric weight management  
7 toolkit or other similar protocols that provide effective weight  
8 management and obesity prevention, evaluation, and guidance."

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

12       "§432:1-    Weight management and obesity prevention  
13 coverage; children. (a) Each policy, contract, plan, or  
14 agreement, other than accident-only, specified disease, hospital  
15 indemnity, medicare supplement, long-term care, or other limited  
16 benefit health insurance policies, shall provide coverage for  
17 weight management and obesity prevention, evaluation, and  
18 guidance services for any dependent of a subscriber; provided  
19 that:

20       (1) The dependent is covered by the subscriber's policy;  
21           and

22       (2) The dependent is under the age of sixteen years.

1        (b) For the purposes of this section, "weight management  
2 and obesity prevention, evaluation, and guidance services" means  
3 the application of the Hawaii pediatric weight management  
4 toolkit or other similar protocols that provide effective weight  
5 management and obesity prevention, evaluation, and guidance."

6        SECTION 4. Section 432D-23, Hawaii Revised Statutes, is  
7 amended to read as follows:

8        **"§432D-23 Required provisions and benefits.**

9 Notwithstanding any provision of law to the contrary, each  
10 policy, contract, plan, or agreement issued in the State after  
11 January 1, 1995, by health maintenance organizations pursuant to  
12 this chapter, shall include benefits provided in sections  
13 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116,  
14 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, [~~and~~]  
15 431:10A-121, 431:10A-\_\_\_, and chapter 431M."

16        SECTION 5. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18        SECTION 6. This Act shall take effect upon its approval.

**Report Title:**

Health Insurance; Children; Weight Management and Obesity  
Prevention, Evaluation, and Guidance Services

**Description:**

Requires health insurance providers to cover weight management  
and obesity prevention, evaluation, and guidance services for  
children. (SD1)