
SENATE CONCURRENT RESOLUTION

REQUESTING THE DEVELOPMENT OF PROPOSED LEGISLATION MANDATING THE
SIZE AND EXTENT OF A MANAGED CARE PLAN'S SPECIALTY NETWORK.

1 WHEREAS, the Legislature has given broad authority to the
2 Department of Human Services in section 346-14 of the Hawaii
3 Revised Statutes to "administer the medical assistance programs
4 for eligible public welfare and other medically needy
5 individuals by establishing standards, eligibility, and health
6 care participation rules, payment methodologies, reimbursement
7 allowances, systems to monitor recipient and provider compliance
8 and, and assuring compliance with federal requirements to
9 maximize federal financial participation"; and

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11 WHEREAS, managed care programs such as "Hawaii QUEST" and
12 "QUEST Expanded Access" are a type of medical assistance program
13 developed by the Department of Human Services to provide
14 Medicated health care services to clients through their health
15 plan; and

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17 WHEREAS, there are reports that the two health plans that
18 the Department of Human Services has awarded contracts to under
19 the QUEST Expanded Access programs do not have adequate networks
20 of primary care providers; and

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22 WHEREAS, concerns have arisen that the State lacked
23 adequate assurances from the two health plans regarding the
24 ability of the plans to deliver services; and

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26 WHEREAS, these concerns have led to lawsuits in the federal
27 courts to block the contract awards under the QUEST Expanded
28 Access programs; and

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30 WHEREAS, it appears that rather than delegating those
31 functions to the Department of Human Services, the Legislature
32 needs to directly establish those standards, eligibility



1 requirements, and health care participation rules, as well as
2 payment methodologies, reimbursement allowances, and systems to
3 monitor recipient and provider compliance; and
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5 WHEREAS, a source precedent is the current QUEST request
6 for proposal (RFP) requirements, one of whose purposes is to
7 ensure that subscribers and enrollees are able to access and
8 receive health and medical services rendered in a manner
9 providing continuity of care; and
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11 WHEREAS, under Hawaii law, the current QUEST RFP
12 requirements were issued to potential health care service plans
13 to assure the public that these plans meet certain minimum
14 standards; now, therefore,
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16 BE IT RESOLVED by the Senate of the Twenty-fifth
17 Legislature of the State of Hawaii, Regular Session of 2010, the
18 House of Representatives concurring, that the Governor is
19 requested to develop proposed legislation to mandate the size
20 and extent of a managed care plan's specialty network based upon
21 the Hawaii QUEST RFP requirements for both QUEST and QUEST
22 Expanded Access Plans; and
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24 BE IT FURTHER RESOLVED that plans will need to certify that
25 they have a contracted network that at least meets these
26 standards prior to receiving any contract award for either QUEST
27 or QUEST Expanded Access in order to protect beneficiaries and
28 providers of care from being forced to contract; and
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30 BE IT FURTHER RESOLVED that for federally designated
31 Medically Underserved Areas, access to transportation,
32 translation, and outreach services will be provided in a timely
33 manner; and that for QUEST Expanded Access additional
34 requirements of case management agencies, nursing facilities,
35 and long term care would be applicable; and
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37 BE IT FURTHER RESOLVED that the Governor is requested to
38 direct the participation and assistance of any appropriate
39 agencies and personnel within the executive branch needed to
40 develop the proposed legislation; and
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42 BE IT FURTHER RESOLVED that certified copies of this
43 Concurrent Resolution be transmitted to the Governor and the
44 Director of Human Services.

