
SENATE 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
33 requirements, and health care participation rules, as well as
34 payment methodologies, reimbursement allowances, and systems to
35 monitor recipient and provider compliance; and



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

