

Honolulu, Hawaii

Feb 5, 2010

RE: H.B. No. 2990

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committees on Human Services and Health, to which was referred H.B. No. 2990 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAID,"

beg leave to report as follows:

The purpose of this bill is to provide a better understanding of the scope of services provided by Medicaid by centralizing Hawaii Medicaid statutes under a new Medicaid Chapter in the Hawaii Revised Statutes (HRS).

The Healthcare Association of Hawaii supported this bill. The Department of Human Services opposed this measure.

Your Committees find that Medicaid is a State program with a budget of more than a billion dollars, second in size only to public education. Other State programs, many of which are several orders of magnitude smaller than Medicaid, are established in statute with comprehensive provisions that set forth the parameters within which they must operate.

Currently, HRS contains various sections that relate to Medicaid, but they are scattered throughout the statutes and address only a few aspects of the Medicaid program. There is no comprehensive statute that establishes Medicaid's purpose, structure, and operating principles. The purpose of this bill is to create a unified and comprehensive statute for Hawaii's Medicaid program.



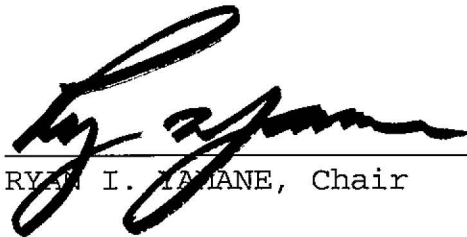
This bill more clearly assigns the responsibilities of the Legislative and the Executive Branch with respect to Medicaid. In our form of democracy, the major responsibilities of government are assigned to the three major branches of government. The resulting system of checks and balances assures that no single person or no single government agency accumulates too much power. The Legislative Branch sets public policy by passing laws. The Executive Branch carries out the policies set by the Legislative Branch. The Judicial Branch interprets the laws when there are disagreements.

By enacting a Medicaid chapter the Legislature would fulfill its function of establishing public policy. Such a chapter would also give guidance to the Executive Branch in determining how Medicaid should operate.

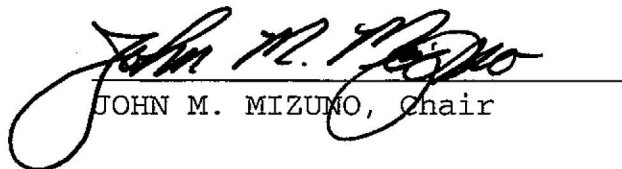
A Medicaid chapter in HRS would have other benefits. It would make Medicaid more transparent to the public. Currently, health care providers, consumers, and consumer advocates are in many cases not fully aware of how Medicaid operates. Also, they are often not aware of changes made to Medicaid until after the changes have been implemented. Many feel powerless to influence these changes. At times they have felt that changes to Medicaid have been made that negatively impacts Medicaid participants. A Medicaid chapter in HRS would give stakeholders and the public a voice in shaping the Medicaid Program.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2990 and recommend that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Health,



RYAN I. YAMANE, Chair




JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HS CR 154-10

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 2990	Committee Referral: HUS/HLT, FIN	Date: Feb. 4, 2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. BELATTI, Della Au	/			
4. BERTRAM, Joe, III	/			
5. BROWER, Tom	/			
6. CARROLL, Mele	/			
7. MIZUNO, John M.	/			
8. SHIMABUKURO, Maile S.L.	/			
9. FINNEGAN, Lynn				/
TOTAL (9)	8			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				