

**SB 2599**

**CPN/HTH**



LINDA LINGLE  
GOVERNOR  
JAMES R. AIONA, JR.  
LT. GOVERNOR

STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
335 MERCHANT STREET, ROOM 310  
P.O. Box 541  
HONOLULU, HAWAII 96809  
Phone Number: (808) 586-2850  
Fax Number: (808) 586-2856  
www.hawaii.gov/dcca

LAWRENCE M. REIFURTH  
DIRECTOR  
RONALD BOYER  
DEPUTY DIRECTOR

TO THE SENATE COMMITTEES ON  
COMMERCE AND CONSUMER PROTECTION  
AND  
HEALTH

TWENTY-FIFTH LEGISLATURE  
Regular Session of 2010

Tuesday, February 9, 2010  
9:00 a.m.

**TESTIMONY ON SENATE BILL NO. 2599 – RELATING TO HEALTH INSURANCE.**

TO THE HONORABLE ROSALYN H. BAKER AND DAVID Y. IGE, CHAIRS, AND  
MEMBERS OF THE COMMITTEES:

My name is J.P. Schmidt, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department takes no position on this bill.

The purpose of this bill is to mandate coverage for colorectal cancer screening by colonoscopy every 10 years beginning at age 50. We have no doctors on staff, so we cannot express an opinion on the medical merits of the bill. In addition, any mandated benefit helps some people, but also imposes increased cost burdens on the employers and individuals that pay the premiums.

We note that mandated benefits are required by law to undergo a review by the Legislative Auditor.

We thank the Committees for the opportunity to present testimony on this matter.

Testimony of  
Phyllis Dendle  
Director Government Relations

Before:  
Senate Committee on Commerce and Consumer Protection  
The Honorable Rosalyn H. Baker, Chair  
The Honorable David Y. Ige, Vice Chair

Senate Committee on Health  
The Honorable David Y. Ige, Chair  
The Honorable Josh Green M.D., Vice Chair

February 9, 2010  
9:00am  
Conference Room 229

**SB 2599 RELATING TO HEALTH INSURANCE**

Chair Baker, Chair Ige and committee members, thank you for this opportunity to provide testimony on SB 2599 mandating health insurance coverage for colonoscopy for colorectal cancer screening.

**Kaiser Permanente Hawaii supports the intent of this bill and offers amendments.**

Last week the Legislative Auditor issued a Study of Proposed Mandatory Health Insurance Coverage for Colorectal Cancer Screening. The recommendation in this study was to amend this bill to include the procedures and tests recommended by the U.S. Preventative Service Task Force (USPSTF) in 2008 for adults at ages 50-75. We support this recommendation but would suggest that instead of limiting the benefits to what is recommended in 2008 that we instead base the benefits required on the recommendations which USPSTF grades an A or B.

The USPSTF is an independent panel of private sector prevention and primary care experts sponsored by the Agency for Healthcare Research and Quality (AHRQ) within the US Department of Health and Human Services. Their recommendations for clinical preventative

services are widely used and respected throughout the nation. Kaiser Permanente uses these guidelines as the basis for all of the preventative services offered to our members. The USPSTF considers the performance of preventative tests and grades their recommendations based on the net benefit the test will provide. Tests rated A have a high certainty of benefit and B have at least a moderate certainty of benefit. At this time FOBT, flexible sigmoidoscopy, and colonoscopy have an A grade. There are currently no tests graded B. There are two other tests that are not recommended at this time which are the computerized tomography colonography (CTC) and fecal DNA testing. The USPSTF has determined that there is insufficient evidence of the benefits and harms of these tests at this time to recommend them.

The value of basing the benefits in the Hawaii law on the USPSTF tests graded A or B is that as new tests and procedures are determined to be effective they would be covered without the need to change the law. This proposal is based on the Colorado law mandating colorectal cancer screening. Colorado is one of the states to be given an A in the Colorectal Cancer Legislation Report Card for 2009. The report card is put together annually by 12 organizations committed to reducing colon cancer deaths by increasing proper screening. The members include the American Cancer Society and four organizations representing physician specialists. To receive an A the law must include FOBT, flexible sigmoidoscopy and colonoscopy as screenings available to people over age 50 and the law must allow for the coverage of future advances in screening methods.

With this proposal it is our hope that Hawaii too would have a law that serves to reduce colon cancer deaths..

What follows is a proposed amendment. Thank you for your consideration.

"§431:10A- Colon cancer screening coverage. (a) Each policy of accident and health or sickness insurance providing coverage for health care, except for policies that only provide coverage for specified diseases or other limited benefit coverage, shall provide coverage for all A and B grade screening modalities as recommended by the U.S. Preventative Service Task Force.

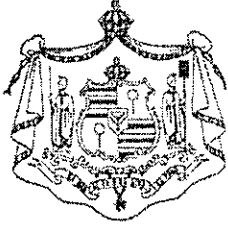
**baker5 - Leo**

---

**From:** Marilyn Leimomi Khan [mkhan@hawaiiantel.net]  
**Sent:** Friday, February 05, 2010 9:43 AM  
**To:** CPN Testimony  
**Cc:** Rodriguez, David; Analika Nahulu; Hardy Spoehr; AHCC  
**Subject:** Transmittal of Testimony - SB 2599  
**Attachments:** AHCC Legislation 2010 SB2599 Colorectal Cancer.doc

Transmitted is testimony on SB 2599, Relating to Health Insurance, which would mandate health insurance coverage to screen for colorectal cancer by colonoscopy every ten years, beginning at age fifty.

Testifier: Leimomi Khan, President, Association of Hawaiian Civic Clubs  
Date and Time of Hearing: Tuesday, February 9, 2010, 9:00 a.m., Room 229



# ASSOCIATION OF HAWAIIAN CIVIC CLUBS

P.O. Box 1135 Honolulu, Hawaii 96807

TESTIMONY OF LEIMOMI KHAN, PRESIDENT  
ASSOCIATION OF HAWAIIAN CIVIC CLUBS  
IN SUPPORT OF

SB 2599 – RELATING TO HEALTH INSURANCE

COMMITTEE ON HEALTH  
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

February 9, 2010, 9:00 a.m., Conference Room 229

Aloha, Chair Ige, Chair Baker, and Members of the Committee:

The Association of Hawaiian Civic Clubs (AHCC) firmly supports SB 2599

Colorectal cancer is the second leading cause of death of Native Hawaiians, and colonoscopy screenings can provide detection of precancerous colonic polyps and early carcinomas. Prostate cancer is the third leading cause of cancer death among Native Hawaiian men. Annual screenings covered by health insurance leads to early detection, and that can mean less extensive treatments. For some patients, early detection can be the difference between radiation treatment and a radical prostatectomy. Less extensive treatments mean quicker recovery and a smaller financial burden for the patient.

Further, while Medicare insurance covers colonoscopies and annual prostate screenings, other health insurers in the state will not cover such tests unless the patient experiences specific symptoms. The status quo allows for missed opportunities to detect early cancer cells.

**There is no question that passage of this bill will positively impact all families in the state, and it will certainly help reduce the incidence of colorectal and prostate cancer deaths within the high-risk Native Hawaiian community. Our only reservation is the interval of 10-years between examinations and given the high incidence of Prostate and Colorectal Cancer, whether the interval shouldn't be shortened. We also recommend that the Committees consider inclusion of annual digital rectal examination and the prostate specific antigen blood test**

In November 1996, we passed a resolution urging the State of Hawaii to “Mandate Full Coverage of Prostate Cancer Diagnostic Examinations by Insurance Carriers” and in October 2006, again urged the Hawaii State Legislature to “Direct Medical Insurers to Cover Screening Procedures for Prostate and Colorectal Cancer”. Accordingly, we respectfully urge you to pass this bill. Thank you for this opportunity to testify in support of SB 2599.

#### About the AHCC

The Association is a growing national confederation of fifty-eight Hawaiian Civic Clubs, located throughout the State of Hawai'i and in the States of Alaska, California, Colorado, Illinois, Nevada, Utah, Virginia, Washington State, Tennessee, and Texas. It initiates and works to support actions that enhance the civic, economic, educational, health and social welfare of our communities, and in particular, the culture and welfare of the Native Hawaiian community.

# ***ASSOCIATION OF HAWAIIAN CIVIC CLUBS***

## ***A RESOLUTION***

Reso 06-07

### **URGING THE HAWAII STATE LEGISLATURE TO DIRECT MEDICAL INSURERS TO COVER SCREENING PROCEDURES FOR PROSTATE AND COLORECTAL CANCER**

WHEREAS, colorectal cancer is the second leading cause of death in Native Hawaiians according to the Hawai'i Tumor Registry from 1995 to 2000, and the second leading cause of cancer death in the United States according to the American Cancer Society in 2004; and

WHEREAS, 93% of colorectal cancer cases are diagnosed in people greater than 50 years of age; and

WHEREAS, colorectal cancer screening with colonoscopy can provide detection of pre-cancerous adenomatous colonic polyps and early carcinomas with a sensitivity greater than 90%, resulting in less extensive surgery or frequently only simple colonoscopic extraction aimed at cure rather than palliation, such that practically no person with these lesions need suffer and die from colon cancer; and

WHEREAS, the likelihood of developing prostate cancer in men is one in six according to the National Cancer Institute in 2003, and prostate cancer is the third leading cause of cancer death in Native Hawaiians according to the Hawai'i Tumor Registry from 1995 to 2000, and the second leading cause of cancer death nationally according to the American Cancer Society in 2004; and

WHEREAS, prostate cancer screening including digital rectal examination and the prostate specific antigen blood test can result in early detection and treatment of prostate cancer; and

WHEREAS, Medicare insurance already covers colonoscopies and annual prostate specific antigen testing for its insured population;

NOW, THEREFORE, BE IT RESOLVED, by the Association of Hawaiian Civic Clubs in Convention at the Waikiki Beach Marriott Resort & Spa, Waikiki, O'ahu, on this 28<sup>th</sup> day of October 2006, that it supports a resolution that urges the Hawai'i State Legislature to direct medical insurers to cover colonoscopy, digital rectal examination, and prostate specific antigen blood testing to screen for colorectal and prostate cancers; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to Hawai'i's Congressional Delegation, the Governor, State of Hawaii, the President of the Senate, the Speaker of the House, the Chair of the Senate Committee on Judiciary and Hawaiian Affairs,

the Chair of the House Committee on Hawaiian Affairs, the Chair of the Office of Hawaiian Affairs and all County Mayors of the State of Hawaii; and

BE IT FURTHER RESOLVED, that a copy of this Resolution also be transmitted to the American Cancer Society Hawai'i Pacific, Inc.

The undersigned hereby certifies that the foregoing Resolution was duly adopted on October 28, 2006, at the 47<sup>th</sup> Annual Convention of the Association of Hawaiian Civic Clubs at Waikiki, Hawai'i

/s/ Antoinette Lee, President