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# A BILL FOR AN ACT

RELATING TO HEALTH CARE ADMINISTRATIVE UNIFORMITY.

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

1           SECTION 1. The legislature finds that collaborative  
2 development of uniform administrative standards for quality  
3 health care measures could help produce better quality health  
4 care that is more cost effective, while allowing providers to  
5 spend more time providing quality patient care and less time  
6 with administrative claims procedures. In order to encourage  
7 productive discussion and agreements between health care  
8 providers, insurers, and other interested entities on uniform  
9 administrative standards regarding evidence-based medicine,  
10 clinical efficacy, and quality in health claims processing, such  
11 collaboration should be exempt from the State's unfair  
12 competition and antitrust laws, which might otherwise deter or  
13 prevent these types of beneficial cooperation.

14           The purpose of this Act is to allow open and robust  
15 collaboration on uniform administrative standards and procedures  
16 to help enhance the quality of health care in Hawaii.

17           SECTION 2. Section 480-11, Hawaii Revised Statutes, is  
18 amended by amending subsection (d) to read as follows:



1        "(d) This chapter shall not apply to:

2        (1) Any provider agencies or donors under part XVII of

3                chapter 346;

4        (2) Any provider agency or donor method or act that

5                complies with part XVII of chapter 346; [~~or~~]

6        (3) Any cooperation or agreement authorized pursuant to

7                rule under part XVII of chapter 346 [~~-~~]; or

8        (4) Any cooperation, collaboration, or agreement among any

9                accident and health or sickness insurer, third party

10                administrator, health care provider or facility,

11                managed care plan, or government agency to develop and

12                adopt uniform administrative procedures for:

13                (A) Measuring health care quality;

14                (B) Prior authorization procedures; or

15                (C) Methodologies for preferred drug lists based on

16                clinical efficacy;

17        provided that all accident and health or sickness insurers,

18        third party administrators, health care providers or facilities,

19        managed care plans operating within the State of Hawaii, and the

20        insurance division of the department of commerce and consumer

21        affairs, are provided notice and an opportunity to participate

22        in the cooperation, collaboration, or agreement."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Health Care; Administrative Procedures; Antitrust

**Description:**

Exempts collaboration among all accident and health or sickness insurers, third party administrators, managed care plans, health care providers, and government agencies from state antitrust laws when the collaboration is intended to adopt uniform administrative procedures. Requires notice to be given to certain interested parties in advance of collaborative discussions. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

