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## A BILL FOR AN ACT

RELATING TO MEDICAL ASSISTANCE.

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

1           SECTION 1. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to part II to be appropriately  
3 designated and to read as follows:

4           "§346-        Medical assistance; noncitizens. (a) The  
5 department shall provide covered noncitizens with medical  
6 assistance for the following services:

7           (1) Dialysis and chemotherapy and other cancer treatments  
8 that are medically necessary, as that term is  
9 described in section 432E-1.4;

10          (2) At least ten physician inpatient and twelve physician  
11 outpatient visits for each benefit year. Medical  
12 assistance under this paragraph shall not include  
13 visits for dialysis or chemotherapy treatments under  
14 paragraph (1); and

15          (3) At least eight drug prescriptions per month;  
16 provided that medical assistance shall not be provided if the  
17 benefits mandated under this section are replaced by benefits  
18 provided under federal law.



1        (b) As used in this section, "covered noncitizen" means a  
2 legal resident of Hawaii, age nineteen or older, who:

3        (1) Is not a United States citizen;

4        (2) Is a legal permanent resident who arrived on or after  
5 August 22, 1996;

6        (3) Would, as a citizen of the United States, be eligible  
7 for benefits under the State's medicaid programs,  
8 including QUEST; and

9        (4) Is not eligible for federally funded medical  
10 assistance due to restricted eligibility rules imposed  
11 by Title XXI of the Social Security Act, the Personal  
12 Responsibility and Work Reconciliation Act of 1996, or  
13 the Compact of Free Association Act of 1985, P.L. 99-  
14 239, the Compact of Free Association between the  
15 United States and the Government of Palau, P.L. 99-  
16 658, or any other provision of federal law denying  
17 medical assistance to non-immigrants who are citizens  
18 of the Republic of the Marshall Islands, the Federated  
19 States of Micronesia, or the Republic of Palau."

20        SECTION 2. Section 432E-1.4, Hawaii Revised Statutes, is  
21 amended by amending subsection (a) to read as follows:



1           "(a) For contractual purposes, a health intervention shall  
 2 be covered if it is an otherwise covered category of service,  
 3 not specifically excluded, recommended by the treating licensed  
 4 health care provider, and determined by the health plan's  
 5 medical director to be medically necessary as [defined]  
 6 described in subsection (b). A health intervention may be  
 7 medically indicated and not qualify as a covered benefit or meet  
 8 that definition of medical necessity. A managed care plan may  
 9 choose to cover health interventions that do not meet the  
 10 definition of medical necessity."

11           SECTION 3. There is appropriated out of the general  
 12 revenues of the State of Hawaii the sum of \$                    or so much  
 13 thereof as may be necessary for fiscal year 2011-2012 for  
 14 medical assistance for covered noncitizens.

15           The sum appropriated shall be expended by the department of  
 16 human services for the purposes of this Act.

17           SECTION 4. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19           SECTION 5. This Act shall take effect on January 1, 2012;  
 20 provided that section 3 shall take effect on July 1, 2011.

21           *Calvin K. Ho*  
 INTRODUCED BY: *Karen Awana (BR)*  
*Andy Evans*

*John M. Pardo*  

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*[Signature]*

*John Mammets*  

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JAN 21 2011



# H.B. NO. 499

**Report Title:**

Medical Assistance; Noncitizens; Pacific Islanders

**Description:**

Requires the Department of Human Services to provide medical assistance for dialysis, chemotherapy, and other cancer treatments, inpatient and outpatient physician visits, and drug prescriptions for immigrants and noncitizens from the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau. Effective January 1, 2012.

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

