

STAND. COM. REP. NO.

336

Honolulu, Hawaii

Feb 16, 2011

RE: H.B. No. 1134
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1134
entitled:

"A BILL FOR AN ACT RELATING TO PREPAID HEALTH CARE,"

begs leave to report as follows:

The purpose of this bill is to eliminate provisions and references that sunset the Hawaii Prepaid Health Care Act, by repealing Act 99, Session Laws of Hawaii 1994, and repealing Chapter 393, Part V, Hawaii Revised Statutes.

Your Committee notes that changes to the Hawaii Prepaid Health Care Act could jeopardize Hawaii's exemption from the federal Employee Retirement Income Security Act (ERISA). ERISA supercedes state laws related to employee benefits.

The Department of Labor and Industrial Relations, Hawaii Medical Service Association, Hawaii Association of Health Plans, Hawaii Medical Association, and ILWU Local 142 testified in support of this measure. The Chamber of Commerce of Hawaii, Healthcare Association of Hawaii, and a concerned individual submitted comments.

National health care reform under the Affordable Care Act is currently underway. However, questions abound as to how this federal Act will affect health care coverage in Hawaii.

HB1134 HD1 HSCR HLT HMS 2011-2003



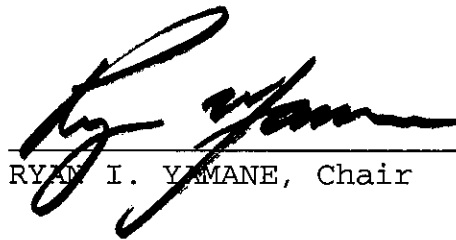
For over 30 years, residents in Hawaii have benefitted from the employer-based health care coverage mandated under the Hawaii Prepaid Health Care Act. This measure will maintain the integrity of that Act while questions about the federal Act are being resolved.

Your Committee has amended this bill by:

- (1) Extending the effective date of the bill to July 1, 2050, to encourage continued discussion on the bill; and
- (2) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1134, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,



RYAN I. YAMANE, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1134	Committee Referral: HLT	Date: 2/8/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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. MORIKAWA, Dee (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. JORDAN, Jo	✓			
6. LEE, Chris	✓			
7. MIZUNO, John M.	✓			
8. WOOLEY, Jessica	✓			
9. CHING, Corinne W.L.		✓		
10. PINE, Kymberly Marcos		✓		
TOTAL (10)	7	2		1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				