

STAND. COM. REP. NO. 471

Honolulu, Hawaii

MAR 03 2011

RE: S.B. No. 1273
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1273 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Insurance Commissioner to enforce applicable provisions of the federal law.

Your Committee received testimony in support of this measure from the Insurance Commissioner of the Department of Commerce and Consumer Affairs. Your Committee received testimony in support of the intent of this measure from the Hawaii Medical Service Association.

Your Committee finds that the federal health care reform law, the Patient Protection and Affordable Care Act, includes a regulatory function for the states in exercising oversight of health insurers. Your Committee further finds that, while the Insurance Commissioner holds general authority to regulate the business of insurance in this State, it is a prudent course of action to specifically authorize the Insurance Commissioner to enforce the relevant provisions of the federal law so as to ensure compliance with the federal law and to preserve certainty in the duties of the Insurance Commissioner.

Your Committee has amended this measure by:


2011-1325 SSCR SMA.doc



- (1) Adding a provision to apply to fraternal benefit societies subject to article 2 of chapter 432, Hawaii Revised Statutes; and
- (2) Clarifying that the Insurance Commissioner shall enforce the consumer protection and market regulation provisions of the Patient Protection and Affordable Care Act.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1273, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,

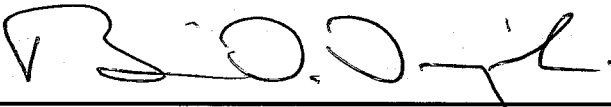


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1273	CPN	2/11/2011		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	7	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes