
A BILL FOR AN ACT

RELATING TO PALLIATIVE CARE.

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

1 SECTION 1. Chapter 431:10A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "~~§431:10A-~~ Coverage for palliative care. (a) Each
5 policy of accident and health or sickness insurance issued or
6 renewed in this State shall provide coverage for palliative care
7 to which a person is referred by a physician, osteopathic
8 physician, or nurse practitioner; provided that this section
9 shall not apply to accident-only, specified disease, hospital
10 indemnity, medicare supplement, long-term care, or other limited
11 benefit health insurance policy.

12 (b) For purposes of this section, "palliative care", as
13 provided in the American Medical Association Self Designated
14 Practice Specialty Definitions, means the active total care of
15 patients when they no longer respond to curative treatments and
16 when control of pain, symptoms, psychological, social, and
17 spiritual problems is paramount; provided that the overall goal
18 of palliative care is the highest possible quality of life for



1 the patient and family offering a support system to help the
2 patient live as actively as possible until death and a support
3 system to help the family cope during the patient's illness and
4 in bereavement. Palliative care may include hospice care and
5 shall include medical or comfort care that reduces the severity
6 of a disease or slows its progress rather than providing a cure,
7 and care provided in conjunction with curative treatments.
8 Palliative care shall include care provided by a variety of
9 licensed providers, including physicians, nurses, social
10 workers, nutritionists, naturopathic physicians, pharmacists,
11 massage therapists, respiratory therapists, physical therapists,
12 occupational therapists, psychologists, and other licensed
13 providers.

14 (c) Coverage for palliative care under this section shall
15 be provided to a covered person who is diagnosed with a chronic
16 or serious disease."

17 SECTION 2. Chapter 432:1, Hawaii Revised Statutes, is
18 amended by adding a new section to be appropriately designated
19 and to read as follows:

20 "§432:1- Coverage for palliative care. (a) Each policy
21 of accident and health or sickness insurance issued or renewed
22 in this State shall provide coverage for palliative care to



1 which a person is referred by a physician, osteopathic
2 physician, or nurse practitioner; provided that this section
3 shall not apply to accident-only, specified disease, hospital
4 indemnity, medicare supplement, long-term care, or other limited
5 benefit health insurance policy.

6 (b) For purposes of this section, "palliative care", as
7 provided in the American Medical Association Self Designated
8 Practice Specialty Definitions, means the active total care of
9 patients when they no longer respond to curative treatments and
10 when control of pain, symptoms, psychological, social, and
11 spiritual problems is paramount; provided that the overall goal
12 of palliative care is the highest possible quality of life for
13 the patient and family offering a support system to help the
14 patient live as actively as possible until death and a support
15 system to help the family cope during the patient's illness and
16 in bereavement. Palliative care may include hospice care and
17 shall include medical or comfort care that reduces the severity
18 of a disease or slows its progress rather than providing a cure,
19 and care provided in conjunction with curative treatments.
20 Palliative care shall include care provided by a variety of
21 licensed providers, including physicians, nurses, social
22 workers, nutritionists, naturopathic physicians, pharmacists,



1 massage therapists, respiratory therapists, physical therapists,
2 occupational therapists, psychologists, and other licensed
3 providers.

4 (c) Coverage for palliative care under this section shall
5 be provided to a covered person who is diagnosed with a chronic
6 or serious disease."

7 SECTION 3. Chapter 432:2, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§432:2- Coverage for palliative care. (a) Each policy
11 of accident and health or sickness insurance issued or renewed
12 in this State shall provide coverage for palliative care to
13 which a person is referred by a physician, osteopathic
14 physician, or nurse practitioner; provided that this section
15 shall not apply to accident-only, specified disease, hospital
16 indemnity, medicare supplement, long-term care, or other limited
17 benefit health insurance policy.

18 (b) For purposes of this section, "palliative care", as
19 provided in the American Medical Association Self Designated
20 Practice Specialty Definitions, means the active total care of
21 patients when they no longer respond to curative treatments and
22 when control of pain, symptoms, psychological, social, and



1 spiritual problems is paramount; provided that the overall goal
2 of palliative care is the highest possible quality of life for
3 the patient and family offering a support system to help the
4 patient live as actively as possible until death and a support
5 system to help the family cope during the patient's illness and
6 in bereavement. Palliative care may include hospice care and
7 shall include medical or comfort care that reduces the severity
8 of a disease or slows its progress rather than providing a cure,
9 and care provided in conjunction with curative treatments.
10 Palliative care shall include care provided by a variety of
11 licensed providers, including physicians, nurses, social
12 workers, nutritionists, naturopathic physicians, pharmacists,
13 massage therapists, respiratory therapists, physical therapists,
14 occupational therapists, psychologists, and other licensed
15 providers.

16 (c) Coverage for palliative care under this section shall
17 be provided to a covered person who is diagnosed with a chronic
18 or serious disease."

19 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
20 amended to read as follows:

21 **"§432D-23 Required provisions and benefits.**

22 Notwithstanding any provision of law to the contrary, each



1 policy, contract, plan, or agreement issued in the State after
2 January 1, 1995, by health maintenance organizations pursuant to
3 this chapter, shall include benefits provided in sections
4 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
5 116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, 431:10A-121,
6 431:10A-125, 431:10A-126, [~~and~~] 431:10A-122, and 431:10A-, and
7 chapter 431M."

8 SECTION 5. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 2011.



Report Title:

Palliative Care; Health Insurance Required Coverage

Description:

Requires policies of accident and health or sickness insurance to provide coverage for palliative care. Defines palliative care. Effective July 1, 2011. (HB512 HD1)

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

