

Honolulu, Hawaii

FEB 18 2011

RE: S.B. No. 122  
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. 122 entitled:

"A BILL FOR AN ACT RELATING TO NATUROPATHIC PHYSICIANS,"

begs leave to report as follows:

The purpose and intent of this measure is to require that health insurers, mutual benefit societies, fraternal benefit societies, and health maintenance organizations provide benefits for services provided by naturopathic physicians to the same extent as services rendered by another health care provider and recognize naturopathic physicians as covered primary care providers.

Your Committee received testimony in support of this measure from the Hawaii Society of Naturopathic Physicians and one hundred twenty-three private individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, Hawaii Association of Health Plans, and Hawaii Medical Service Association. Your Committee received comments on this measure from the Insurance Commissioner of the Department of Commerce and Consumer Affairs.

Your Committee finds that the services provided by naturopathic physicians are an important component of comprehensive health care. Your Committee also finds that in the context of Hawaii's chronic shortage of qualified health care providers, naturopathic physicians may be able to play a role in expanding access to primary health care within the State. Your



Committee notes that services of a naturopathic physician are currently included in workers' compensation benefits. Your Committee further finds that while a requirement for universal insurance coverage of services provided by naturopathic physicians may be an overly-broad mandate for coverage of services that constitute a specialized niche in the overall health care marketplace, allowing a patient to select the services of a naturopathic physician is an important component of preserving patient choice in the health care system.

Your Committee has amended this measure by:

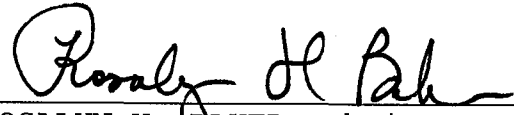
- (1) Deleting provisions requiring all health insurers, mutual benefit societies, fraternal benefit societies, and health maintenance organizations to provide coverage for services delivered by a naturopathic physician and to recognize naturopathic physicians as primary care providers;
- (2) Adding provisions to require all providers of health care benefits that offer a complementary and alternative medicine rider to include services provided by a naturopathic physician in coverage under the rider by July 1, 2011;
- (3) Adding provisions to specify that the reimbursement rate for services provided by a naturopathic physician shall be the same as the workers' compensation reimbursement rate;
- (4) Directing all providers of health care benefits to work collaboratively with the Board of Naturopathic Medicine to develop standards and criteria for certifying naturopathic physicians as preferred providers or making the option to elect services of a naturopathic physician under the same terms as services provided by another health care provider by January 1, 2012; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 122, as amended herein, and recommends that it



pass Second Reading in the form attached hereto as S.B. No. 122, S.D. 1, and be referred to the Committee on Ways and Means.

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.:* <b>SB 122</b>	Committee Referral: <b>CPN, WAM</b>	Date: <b>2-15-11</b>		
<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			✓	
<b>TOTAL</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes