
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE
FOR MEDICALLY NECESSARY TREATMENT OF OROFACIAL ANOMALIES.

1 WHEREAS, in Hawaii, the rate of children with orofacial
2 disorders is estimated to be one in every five hundred; and
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4 WHEREAS, the rate of children in Hawaii with orofacial
5 disorders is higher among the Asian, Pacific Islander, and
6 Filipino populations that comprise the majority of the
7 population of the State; and
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9 WHEREAS, the more commonly known orofacial anomalies
10 include cleft lip or cleft palate; and
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12 WHEREAS, three hundred fifty two babies were born with
13 cleft lip and/or cleft palate in Hawaii between 1986 and 2005;
14 and
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16 WHEREAS, orthodontics are the medically necessary
17 treatments needed to proceed with subsequent reconstructive
18 surgeries for these disorders; and
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20 WHEREAS, orthodontics has been a covered medical benefit of
21 the Hawaii Medicaid program for several years, and medically
22 necessary orthodontics are included as an essential health
23 benefit under pediatric oral health in the State's healthcare
24 benefits package; and
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26 WHEREAS, orthodontics are not included as a benefit of
27 commercial health insurance; and
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29 WHEREAS, without appropriate orthodontic care,
30 reconstructive surgical outcomes are compromised and result in
31 functional deficiencies in chewing, swallowing, respiration,



1 speech, unstable or malpositioned oral structures, premature
2 tooth loss, and adverse psychosocial effects; and
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4 WHEREAS, these compromised surgical outcomes can create
5 disparities in quality of care, quality of life, and functional
6 outcomes for children with orofacial disorders; and
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8 WHEREAS, California, Colorado, Connecticut, Florida,
9 Indiana, Louisiana, Maryland, Massachusetts, Minnesota, New
10 York, North Carolina, Oregon, South Carolina, Texas, Vermont,
11 Virginia, and Wisconsin have mandated health benefits, including
12 orthodontic care coverage for orofacial and related disorders;
13 and
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15 WHEREAS, mandated health benefits that include orthodontic
16 care coverage for orofacial and related disorders aid in the
17 average lifetime cost of \$10,250 for orthodontic care; and
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19 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
20 that "[b]efore any legislative measure that mandates health
21 insurance coverage for specific health services, specific
22 diseases, or certain providers of health care services as part
23 of individual or group health insurance policies, can be
24 considered, there shall be concurrent resolutions passed
25 requesting the auditor to prepare and submit to the legislature
26 a report that assesses both the social and financial effects of
27 the proposed mandated coverage"; and
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29 WHEREAS, section 23-51, Hawaii Revised Statutes, further
30 provides that "[t]he concurrent resolutions shall designate a
31 specific legislative bill that:

- 32 (1) Has been introduced in the legislature; and
33 (2) Includes, at minimum, information identifying the:
34 (A) Specific health service, disease, or provider
35 that would be covered;
36 (B) Extent of the coverage;
37 (C) Target groups that would be covered;
38 (D) Limits on utilization, if any; and
39 (E) Standards of care.

40 For purposes of this part, mandated health insurance coverage
41 shall not include mandated optionals"; and
42

43 WHEREAS, section 23-52, Hawaii Revised Statutes, further
44 specifies the minimum information required for assessing the



1 social and financial impact of the proposed health coverage
2 mandate in the Auditor's report; and
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4 WHEREAS, No. , introduced in the Regular Session
5 of , mandates health insurance coverage for the treatment
6 of orofacial anomalies for individuals, performed to correct or
7 repair abnormal structures of the body, including but not
8 limited to teeth, jaw, and related oral structures; ensure good
9 health and adequate dental structures; and improve function of
10 the affected structures and systems for all policies and
11 contracts, hospital and medical service plan contracts, medical
12 service corporation contracts, and health maintenance
13 organization plans and contracts issued on or after December 31,
14 ; and
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16 WHEREAS, the Legislature believes that mandatory health
17 insurance coverage for medically necessary treatment of
18 orofacial anomalies will substantially offset the financial
19 hardship on families needing treatment for their children,
20 reduce compromised surgical outcomes, and assist in good health
21 for children born with orofacial abnormalities in Hawaii; now,
22 therefore,
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24 BE IT RESOLVED by the House of Representatives of the
25 Twenty-seventh Legislature of the State of Hawaii, Regular
26 Session of 2013, the Senate concurring, that the Auditor is
27 requested to conduct an impact assessment in accordance with
28 sections 23-51 and 23-52, Hawaii Revised Statutes, on the
29 mandatory health insurance coverage of orofacial anomalies
30 proposed by No. ; and
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32 BE IT FURTHER RESOLVED that the Auditor is requested to
33 submit findings and recommendations to the Legislature,
34 including any necessary implementing legislation, no later than
35 twenty days prior to the convening of the Regular Session of
36 2014; and
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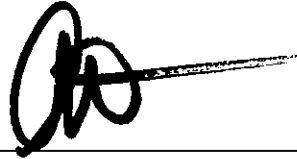
38 BE IT FURTHER RESOLVED that certified copies of this
39 Concurrent Resolution be transmitted to the Auditor and to the
40 Insurance Commissioner, who, in turn, is requested to transmit
41 copies to each insurer in the State that issues health insurance
42 policies, and to the Children with Special Needs Branch of the
43 Department of Health, State Council on Developmental

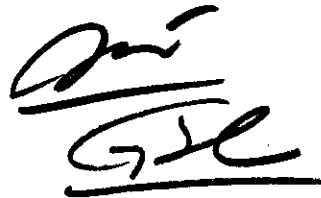
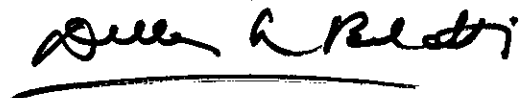


1 Disabilities, Lifetime of Smiles Support Group, Kapi'olani Cleft
 2 and Craniofacial Center, Kaiser Cleft Palate Clinic, Tripler
 3 Army Medical Center Craniofacial Center, Hawaii Maternal & Child
 4 Health Leadership Education in Neurodevelopmental & Related
 5 Disabilities Program, Hilopa'a Family to Family Health
 6 Information Center, and American Academy of Pediatrics - Hawaii
 7 Chapter.

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OFFERED BY:




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