
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 percentage of children with
2 orofacial anomalies is estimated to be one in every 500; and

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4 WHEREAS, the percentage of children in Hawaii with
5 orofacial anomalies is higher among Asians, Pacific Islanders,
6 and Filipinos, who constitute the majority of the State's
7 population; 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, 352 babies were born with cleft lip or cleft
13 palate in Hawaii between 1986 and 2005; and

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15 WHEREAS, orthodontics provides the medically necessary
16 treatment needed to proceed with subsequent reconstructive
17 surgeries for these disorders; and

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19 WHEREAS, orthodontics has been a covered medical benefit of
20 the Medicaid program in Hawaii for several years, and medically
21 necessary orthodontics is included as an essential health
22 benefit under pediatric oral health in the State's healthcare
23 benefits package; and

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25 WHEREAS, orthodontics is not included as a benefit of
26 commercial health insurance; and

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28 WHEREAS, without appropriate orthodontic care,
29 reconstructive surgical outcomes are compromised and result in
30 functional deficiencies in chewing, swallowing, respiration,



1 speech, unstable or malpositioned oral structures, premature
2 tooth loss, and adverse psychological 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

14
15 WHEREAS, mandated health benefits that include orthodontic
16 care coverage for orofacial and related disorders offset 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
33 (1) Has been introduced in the legislature; and
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35 (2) Includes, at a minimum, information identifying the:
36
37 (A) Specific health service, disease, or provider
38 that would be covered;
39
40 (B) Extent of the coverage;
41
42 (C) Target groups that would be covered;



1 (D) Limits on utilization, if any; and

2
3 (E) Standards of care.

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5 For purposes of this part, mandated health insurance coverage
6 shall not include mandated optionals."; and

7
8 WHEREAS, section 23-52, Hawaii Revised Statutes, further
9 specifies the minimum information required for assessing the
10 social and financial impact of the proposed health coverage
11 mandate in the State Auditor's report; and

12
13 WHEREAS, House Bill No. 2522, introduced in the Regular
14 Session of 2014, mandates health insurance coverage for the
15 treatment of orofacial anomalies for individuals performed to:

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17 (1) Correct or repair abnormal structures of the body,
18 including but not limited to teeth, jaws, and related
19 oral structures;
- 20
21 (2) Ensure good health and adequate dental structures; and
- 22
23 (3) Improve the function of the affected structures and
24 systems,

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26 for all policies and contracts, hospital and medical service
27 plan contracts, medical service corporation contracts, and
28 health maintenance organization plans and contracts issued on or
29 after December 31, 2014; and

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31 WHEREAS, the Legislature believes that mandatory health
32 insurance coverage for medically necessary treatment of
33 orofacial anomalies will substantially offset the financial
34 hardship on families needing treatment for their children,
35 reduce compromised surgical outcomes, and assist in good health
36 for children born with orofacial abnormalities in Hawaii; now,
37 therefore,

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39 BE IT RESOLVED by the House of Representatives of the
40 Twenty-seventh Legislature of the State of Hawaii, Regular
41 Session of 2014, the Senate concurring, that the Auditor is
42 requested to conduct an impact assessment report in accordance
43 with sections 23-51 and 23-52, Hawaii Revised Statutes, of



H.C.R. NO. 100

1 mandating health insurance coverage of orofacial anomalies as
2 proposed by House Bill No. 2522 (Regular Session of 2014); and
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4 BE IT FURTHER RESOLVED that the Auditor is requested to
5 submit a report on the Auditor's findings and recommendations,
6 including any necessary implementing legislation, to the
7 Legislature no later than 20 days prior to the convening of the
8 Regular Session of 2015; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Concurrent Resolution be transmitted to:
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- 13 (1) The Auditor;
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- 15 (2) The Insurance Commissioner, who is requested to
16 transmit copies to each insurer in the State that
17 issues health insurance policies; and
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- 19 (3) The Director of Health, who is requested to transmit
20 copies to the Children with Special Health Needs
21 Branch of the Department of Health, Hawaii State
22 Council on Developmental Disabilities, Lifetime of
23 Smiles Family Support Group, Kapi'olani Cleft and
24 Craniofacial Center, Kaiser Permanente Cleft Palate
25 Clinic, Tripler Army Medical Center Craniofacial
26 Center, Hawaii Maternal & Child Health Leadership
27 Education in Neurodevelopmental & Related Disabilities
28 Program, Hilopa'a Family to Family Health Information
29 Center, and American Academy of Pediatrics - Hawaii
30 Chapter.
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OFFERED BY: _____

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