

JAN 24 2013

A BILL FOR AN ACT

RELATING TO HEALTH CARE.

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

1 SECTION 1. The legislature finds that the collaborative
2 development of uniform administrative standards for quality
3 health care measures could help produce better quality health
4 care that is more cost-effective, while allowing providers to
5 spend more time in quality patient care and less time with
6 administrative claims procedures.

7 The purpose of this Act is to encourage open and robust
8 collaborative discussions and potential agreements between
9 health care providers, insurers, or other interested entities on
10 uniform administrative standards regarding evidence-based
11 medicine, clinical efficacy, and better quality procedures for
12 health claims processing by protecting these discussions from
13 unfair competition and anti-trust laws that may otherwise deter
14 or prevent such discussions and agreements.

15 SECTION 2. Section 480-11, Hawaii Revised Statutes, is
16 amended by amending subsection (d) to read as follows:

17 "(d) This chapter shall not apply to:



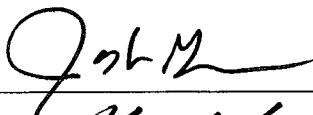


- 1 (1) Any provider agencies or donors under part XVII of
- 2 chapter 346;
- 3 (2) Any provider agency or donor method or act that
- 4 complies with part XVII of chapter 346; [~~or~~]
- 5 (3) Any cooperation or agreement authorized pursuant to
- 6 rule under part XVII of chapter 346 [~~-~~]; or
- 7 (4) Any cooperation, collaboration, or agreement between
- 8 any health care providers or facilities, managed care
- 9 plans, government agencies, or health care related
- 10 organizations to improve quality of care or health
- 11 care outcomes by developing and adopting uniform
- 12 administrative procedures to improve:
- 13 (A) Methods for measuring health care quality;
- 14 (B) Prior authorization procedures for health care;
- 15 (C) Methodology for preferred drug lists based on
- 16 clinical efficacy; and
- 17 (D) Similar health care-oriented measures."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect upon its approval.

21

INTRODUCED BY:



S.B. NO. 1241

Shirley Ann Caldwell



S.B. NO. 1241

Report Title:

Health Care; Anti-Trust; Unfair Competition

Description:

Amends section 480-11(d), HRS, to exclude from unfair competition and anti-trust law, certain discussions between health care providers or facilities, managed care plans, government agencies, or health care related organizations, under certain circumstances.

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

