

Honolulu, Hawaii

February 14, 2014

RE: H.B. No. 2061
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2061, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FERTILITY RIGHTS OF CANCER PATIENTS,"

begs leave to report as follows:

The purpose of this measure is to require health insurance policies and plans to provide coverage for embryo, oocyte, and sperm cryopreservation procedures prior to the start of cancer treatment for the purpose of preserving the fertility of adults diagnosed with cancer.

Several individuals testified in support of this measure. The Hawaii Association of Health Plans, Hawaii Medical Service Association, and The Chamber of Commerce Hawaii testified in opposition to this measure. The Department of Commerce and Consumer Affairs and Department of Human Services provided comments.

Your Committee has amended this measure by:

- (1) Inserting a definition of "reproductive potential" for purposes of determining a woman's eligibility for the coverage mandated by this measure;
- (2) Changing its effective date to July 1, 2112, to further encourage discussion; and



- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that the definition of "reproductive potential" was provided by the Office of the Auditor to mean "the inability to become pregnant after one year of trying, or after six months if the woman is 35 or older." Your Committee requested that the Office of the Auditor define "reproductive potential" to address the concerns raised in the testimony by those who believed an undefined phrase would lead to an unknown amount of potential recipients. Therefore, your Committee respectfully requests that your Committee on Finance further examine whether this definition should be amended to improve cost benefit and effectiveness.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2061, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



