

Honolulu, Hawaii  
**February 14**, 2014

RE: H.B. No. 2174  
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. 2174, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to improve long-term outcomes for persons with autism spectrum disorders by requiring health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for autism spectrum disorder treatment.

The Special Education Advisory Council, Hawaii Disability Rights Center, Experiad Solutions, Malama Pono Autism Center, Autism Speaks, Hawaii Medical Association, and several individuals provided testimony in support of this measure. The Chamber of Commerce of Hawaii provided testimony in opposition to this measure. The Department of Human Services, Department of Commerce and Consumer Affairs, State Council on Developmental Disabilities, Hawaii Medical Service Association, and a few individuals provided comments on this measure.

Your Committee has amended this measure by:

- (1) Changing the age of coverage for the screening, including well-baby and well-child screening, diagnosis, and evidence-based treatment of autism spectrum disorders to an unspecified age;



- (2) Allowing an insurer to request a review of a treatment plan not more than twice every twelve months unless otherwise agreed to be necessary;
- (3) Specifying that an individual receiving treatment for autism spectrum disorders shall continue to receive treatment during the review of a treatment plan;
- (4) Specifying that the provisions of this measure shall not apply to non-grandfathered plans in the individual and small group markets that are required to include essential health benefits under the Patient Protection and Affordable Care Act;
- (5) Changing the effective date of this measure to July 1, 2112, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that other states have used twenty-one years of age as the cut off age for the autism benefits provided in this measure. Therefore, your Committee recommends that twenty-one years of age be inserted into the measure. However, your Committee respectfully requests that your Committee on Finance further examine this issue. Your Committee further notes that it is in the State's best interest to adopt the autism coverage benefits in this measure as soon as possible because the State may be liable for these benefits pursuant to a future judicial decree.

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. 2174, 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. 2174, H.D. 2.



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



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ANGUS L.K. MCKELVEY, Chair



State of Hawaii  
House of Representatives  
The Twenty-seventh Legislature

HSCR 484-14

**Record of Votes of the Committee on Consumer Protection and Commerce**

<b>Bill/Resolution No.:</b> <u>HB 2174, HDI</u>	<b>Committee Referral:</b> <u>HLT, CPC, FIN</u>	<b>Date:</b> <u>02/22/14</u>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. McKELVEY, Angus L.K. (C)	/			
2. KAWAKAMI, Derek S.K. (VC)	/			
3. BELATTI, Della Au	/			
4. BROWER, Tom	/			
5. CACHOLA, Romy M.				/
6. CREAGAN, Richard	/			
7. EVANS, Cindy	/			
8. HAR, Sharon E.	/			
9. ITO, Ken				/
10. LEE, Chris	/			
11. NAKASHIMA, Mark M.	/			
12. OSHIRO, Marcus R.				/
13. TSUJI, Clift	/			
14. YAMANE, Ryan I.	/			
15. MCDERMOTT, Bob	/			
16. THIELEN, Cynthia	/			
<b>TOTAL (16)</b>	13			3
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				