



GOV. MSG. NO. 1306

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 5, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 5, 2016, the following bill was signed into law:

HB1897 HD1 SD1 CD1

RELATING TO INSURANCE COVERAGE OF
HEALTH SCREENINGS
ACT 204 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO INSURANCE COVERAGE OF HEALTH SCREENINGS.

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

1 SECTION 1. The legislature finds that some patients have
2 difficulty receiving proper screenings for sexually transmitted
3 diseases, including human immunodeficiency virus and acquired
4 immunodeficiency syndrome, at annual health screenings. The
5 legislature further finds that more than 1,200,000 people in the
6 United States are living with human immunodeficiency virus and
7 almost one in eight affected persons is unaware of the
8 infection. It is estimated that, each year, more than fifty
9 thousand cases of human immunodeficiency virus are reported with
10 one in four of the new infections striking those between the
11 ages of thirteen and twenty-four.

12 The legislature further finds that early detection of
13 sexually transmitted diseases is paramount to proper health care
14 and prevention of further transmission. The legislature further
15 finds that certain health care providers may not screen
16 specifically for some sexually transmitted diseases, including
17 human immunodeficiency virus and acquired immunodeficiency
18 syndrome, at annual screenings, even though the federal Patient



1 Protection and Affordable Care Act of 2010 requires health
2 insurance to cover those screenings without any patient cost
3 sharing.

4 The purpose of this Act is to ensure that all insurers in
5 the State, including health benefits plans under chapter 87A,
6 Hawaii Revised Statutes, provide insurance coverage for annual
7 screenings for sexually transmitted diseases, including
8 screenings for human immunodeficiency virus and acquired
9 immunodeficiency syndrome.

10 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
11 amended by adding a new section to part I of article 10A to be
12 appropriately designated and to read as follows:

13 "§431:10A- Human immunodeficiency virus and acquired
14 immunodeficiency syndrome screening coverage. (a) Each policy
15 of accident and health or sickness insurance issued or renewed
16 in this State, except for policies that only provide coverage
17 for specified diseases or other limited benefit coverage as
18 described in section 431:10A-102.5, shall provide coverage for
19 annual screenings for sexually transmitted diseases, including
20 screenings for human immunodeficiency virus and acquired
21 immunodeficiency syndrome.



1 (b) Each accident and health or sickness insurer shall
2 reimburse all costs associated with the coverage under
3 subsection (a) to any physician or health care provider
4 complying with this section."

5 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
6 amended by adding a new section to part VI of article 1 to be
7 appropriately designated and to read as follows:

8 "§432:1- Human immunodeficiency virus and acquired
9 immunodeficiency syndrome screening coverage. (a) Each
10 hospital or medical service plan contract issued or renewed in
11 this State, except for plan contracts that only provide coverage
12 for specified diseases or other limited benefit coverage, shall
13 provide coverage for annual screenings for sexually transmitted
14 diseases, including screenings for human immunodeficiency virus
15 and acquired immunodeficiency syndrome.

16 (b) Each mutual benefit society shall reimburse all costs
17 associated with the coverage under subsection (a) to any
18 physician or health care provider complying with this section."

19 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§432D-23 Required provisions and benefits.
2 Notwithstanding any provision of law to the contrary, each
3 policy, contract, plan, or agreement issued in the State after
4 January 1, 1995, by health maintenance organizations pursuant to
5 this chapter, shall include benefits provided in sections
6 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
7 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,
8 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,
9 431:10A-133, [~~and~~] 431:10A-140, and 431:10A- , and chapter
10 431M."

11 SECTION 5. Section 23-51, Hawaii Revised Statutes, shall
12 not apply to this Act.

13 SECTION 6. Notwithstanding any other law to the contrary,
14 the coverage for annual screenings of sexually transmitted
15 diseases, including screenings for human immunodeficiency virus
16 and acquired immunodeficiency syndrome, required under sections
17 2, 3, and 4 of this Act shall apply to all health benefits plans
18 under chapter 87A, Hawaii Revised Statutes, issued, renewed,
19 modified, altered, or amended on or after January 1, 2018.

20 SECTION 7. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 8. This Act shall take effect on July 1, 2016, and
2 shall apply to policies, contracts, and plans of health
3 insurance issued or renewed after January 1, 2018.

APPROVED this 5 day of JUL , 2016



GOVERNOR OF THE STATE OF HAWAII

