

JAN 27 2016

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# A BILL FOR AN ACT

RELATING TO MEDICAL ASSISTANCE.

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

1           SECTION 1. The legislature finds that in order to provide  
2 important health care for the homeless, the State needs  
3 pertinent data regarding the treatments and services  
4 administered to the homeless. Information on the usage of  
5 health care can assist the governor, the legislature, and the  
6 public to make informed policy decisions about the allocation of  
7 resources and services necessary to assist the homeless.

8           The purpose of this Act is to promote the health of  
9 Hawaii's homeless population by establishing a system to  
10 securely gather data regarding homeless individuals' usage of  
11 publicly funded medical assistance programs.

12           SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15           "§346-           Homeless medical assistance recipients; usage;  
16 reporting. (a) Each provider who provides medical care to a  
17 person who is enrolled in a medical assistance program



1 administered by the department shall indicate whether or not the  
2 person is homeless with each claim for payment that the provider  
3 submits to the person's health plan or other payor, in the  
4 matter prescribed by the department. If a provider is unaware  
5 whether the person is homeless, the provider shall make a good  
6 faith effort to inquire whether the person is homeless.

7 (b) Each health plan or payor shall transmit the  
8 information collected pursuant to subsection (a) to the  
9 department in the manner required by the department. The  
10 information shall include at a minimum, health conditions  
11 treated, treatments rendered, and associated costs of treatment.

12 (c) The department shall compile information received  
13 pursuant to subsection (b) into statistical findings regarding  
14 homeless persons' use of medical assistance programs, and shall  
15 include in those findings information on health conditions  
16 treated, treatments received, and associated costs of treatment.  
17 The department shall aggregate data so that no individual  
18 patient can be identified.

19 (d) The department shall submit annual reports and  
20 findings to the governor, the legislature, and the department of  
21 health no later than twenty days before the convening of each



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1 regular session of the legislature. The department shall also  
2 make its findings available to the public on its website.

3 (e) In compliance with this section, providers, health  
4 plans, and the department shall preserve patient  
5 confidentiality, and shall not disclose to the public any  
6 patient-level data obtained from any provider.

7 (f) Except for public reports under subsection (d), any  
8 information held by a provider, health plan or other payor, or  
9 the department in compliance with this section shall not be  
10 subject to subpoena, discovery, or introduction into evidence in  
11 any civil or criminal proceeding.

12 (g) The department shall adopt rules, pursuant to chapter  
13 91, necessary for the purposes of this section. The rules shall  
14 be consistent with applicable federal laws, including laws  
15 related to patient privacy and informed consent."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect on January 1, 2017.

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INTRODUCED BY: John M. MD

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# S.B. NO. 3008

**Report Title:**

Human Services; Medicaid; Homeless

**Description:**

Requires providers and health plans to gather data regarding homeless individuals' use of medical assistance programs.

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

