

Honolulu, Hawaii

APR 04 2016

RE: H.B. No. 2482
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 2482, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require managed care plans to provide claims data annually at no charge to a large group purchaser if the large group purchaser requests the information and meets certain requirements.

Your Committee received testimony in opposition to this measure from Hawaii Medical Service Association and Hawai'i Association of Health Plans. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that this measure is intended to promote transparency as it applies to claims data. Your Committee has heard the concerns raised in testimony, including the questions regarding the procurement and funding process for the Insurance Commissioner to determine the statistician who will determine which claims data received from managed care plans has been de-identified in order to provide the data to large group purchasers, as proposed by this measure.

Your Committee understands these concerns and notes that S.B. No. 2389, S.D. 1 (Regular Session of 2016), which was previously passed by the Senate, also relates to health care claims payment



data and analytics for purposes of transparency. Your Committee finds that the language in S.B. No. 2389, S.D. 1, is preferable because it broadens the scope of health care services claims and payment information that is required to be reported to the State Health Planning and Development Agency, the state agency tasked with promoting accessibility to quality health care services for all people of the State at a reasonable cost, which will support collection analysis, dissemination of medical treatment claims and payment information, transparency in the health care sector, and public policy decision making. The language in S.B. No. 2389, S.D. 1, is also preferable because it provides access to health care claims payment data and analytics to consumers of health care and state decision makers who regulate health care and insurance.

Accordingly, your Committee has amended this measure by deleting its contents and inserting the contents of S.B. No. 2389, S.D. 1, a measure that:

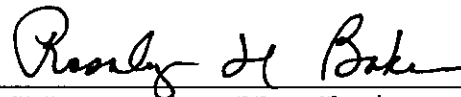
- (1) Requires providers of health care and all payers of claims for payment for health care services delivered to any person, including providers of public and private health insurance, to submit to the State Health Planning and Development Agency data and other information related to health and health care, consistent with all federal and state data use and disclosure, privacy, security, and confidentiality laws;
- (2) Specifies that information deemed necessary to be submitted to the State Health Planning and Development Agency includes health care services claims and payment data, including information about the nature of reimbursement and any fees, discounts, incentives, or performance payments affecting the rate of reimbursement;
- (3) Specifies that the State Health Planning and Development Agency shall not disclose any individual patient's personal health information in violation of state or federal law;
- (4) Requires the State Health Planning and Development Agency to submit acquired data to a University of Hawaii data center;



- (5) Requires an entity accepting health care services claims and payment data to enter into a negotiated data sharing agreement with any payer or insurer before data is submitted; and
- (6) Inserts an effective date of July 1, 2050.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2482, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2482, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

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




ROSALYN H. BAKER, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2482 HD2	CPH	3-29-16		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
KIDANI, Michelle N. (VC)	/			
ESPERO, Will	/			
IHARA, Jr., Les	/			
NISHIHARA, Clarence K.				/
RUDERMAN, Russell E.	/			
SLOM, Sam				/
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes