

HOUSE OF REPRESENTATIVES  
THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2016

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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NOTICE OF HEARING

DATE: Monday, March 21, 2016  
TIME: 3:00PM  
PLACE: Conference Room 325  
State Capitol  
415 South Beretania Street

A G E N D A

[SB 13](#)  
[Proposed HD1](#)  
[Status](#)

RELATING TO PSYCHOLOGY.  
Proposed HD1: Establishes framework and requirements for the licensure of school psychologists in both the public and private sectors of employment. Effective 7/1/2070. (HD1 Proposed)

CPC

[SB 2854, SD2](#)  
[\(SSCR2587\)](#)  
[Status](#)

RELATING TO INSURANCE.  
Makes various updates to title 24, Hawaii Revised Statutes, including: requiring an insurer to file an affidavit prior to discontinuing writing property coverage; requiring insurance commissioner authorization for insurers providing residential property coverage; requiring insurers to file and pay their premium tax statements electronically beginning on 1/1/2017; requiring conspicuous disclosure of preexisting condition provisions in short-term health policies; including physician assistant-delivered services under coverage for child health supervision for accident and health or sickness policies and mutual benefit societies; requiring an entity to notify a health care provider or claim filer under certain conditions; adding flexibility to captive laws of sponsored captive insurance companies; providing mental illness benefits coverage to licensed dietitians treating eating disorders; requiring certain entities to respond to the insurance commissioner during an investigation or examination; providing visual or optometric services coverage for licensed physicians and optometrists and surgical or emergency services coverage for dentists under health plans of mutual benefit societies; providing coverage for pharmacist-delivered contraceptive services; and making other housekeeping and conforming amendments. Effective 7/1/2050, except for sections 3 and 4, which are effective 1/1/2051. (SD2)

CPC, FIN



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| <a href="#">SB 2319, SD1, HD1</a><br><a href="#">(HSCR1063-16)</a><br><a href="#">Status</a> | <p>RELATING TO INSURANCE.</p> <p>Requires all insurers in the State, including health benefits plans under chapter 87A, Hawaii Revised Statutes, and Medicaid managed care programs, to cover reimbursement for contraceptive supplies intended to last for up to a twelve-month period of prescription contraceptive supplies for an insured. (SB2319 HD1)</p>   | <p>HLT, CPC, FIN</p>         |
| <a href="#">SB 2667, SD1, HD1</a><br><a href="#">(HSCR1081-16)</a><br><a href="#">Status</a> | <p>RELATING TO INSURANCE.</p> <p>Requires health insurers to promptly pay clean claims for services and repeals the exemption of medicaid claims from the clean claims definition. (SB2667 HD1)</p>   | <p>HLT, CPC, FIN</p>         |
| <a href="#">SB 2395, SD1, HD1</a><br><a href="#">(HSCR1060-16)</a><br><a href="#">Status</a> | <p>RELATING TO TELEHEALTH.</p> <p>Requires the State's medicaid managed care and fee-for-service programs to cover services provided through telehealth. Specifies that any telehealth services provided shall be consistent with all federal and state privacy, security, and confidentiality laws. Specifies medical professional liability insurance policy requirements with regard to telehealth coverage. Clarifies that reimbursement for services provided through telehealth shall be equivalent to reimbursement for the same services provided via face-to-face contact between a health care provider and a patient. Requires written disclosure of coverages and benefits associated with telehealth services. Requires that telehealth encompasses store and forward technologies, remote monitoring, live consultation, and mobile health. Ensures telehealth is covered when originating in a patient's home and other non-medical environments. Clarifies requirements for physicians and out-of-state physicians to establish a physician-patient relationship via telehealth. Requires that reimbursement requirements for telehealth services apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes. (SB2395 HD1)</p> | <p>HLT/HUS, CPC,<br/>FIN</p> |
| <a href="#">SB 2894, SD2, HD1</a><br><a href="#">(HSCR1077-16)</a><br><a href="#">Status</a> | <p>RELATING TO HEALTH INSURANCE.</p> <p>Authorizes the Department of Human Services to develop and administer outreach as required by the Affordable Care Act. Establishes a state health insurance exchange, the Hawaii Health Insurance Programs, in the Department of Labor and Industrial Relations to conform Hawaii law to the Affordable Care Act. Appropriates funds to the Department of Labor and Industrial Relations and the Department of Human Services. Repeals the Hawaii health insurance exchange programs on January 1, 2018. (SB2894 HD1)</p>   | <p>HLT/LAB, CPC,<br/>FIN</p> |
| <a href="#">SB 2961, SD2, HD1</a><br><a href="#">(HSCR1105-16)</a><br><a href="#">Status</a> | <p>RELATING TO FAMILY LEAVE.</p> <p>Establishes a family leave insurance program, which allows employees to make contributions into a trust fund to be used to provide employees with family leave insurance benefits to care for a designated person. Appropriates funds to the Department of Labor and Industrial Relations to implement the program. Requires a study to be performed by the Department of Labor and Industrial Relations and an actuarial study to be performed by the Department of Budget and Finance. (SB2961 HD1)</p>   | <p>LAB, CPC, FIN</p>         |



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| <a href="#">SB 2376, SD1, HD1</a><br><a href="#">(HSCR1119-16)</a><br><a href="#">Status</a> | <p>RELATING TO PRESCRIPTION DRUG BENEFITS.</p> <p>Authorizes in any county with an area of 2,000 square miles or more, a beneficiary of a prescription drug benefit plan whose residence is 10 or more miles away from the nearest retail community pharmacy to obtain a prescription, without penalty, from a non-network retail community pharmacy located within 10 miles of the beneficiary's residence. Requires reimbursement to a non-network retail community pharmacy. Requires the Insurance Commissioner to submit annual reports to the Legislature on the effects of this measure on healthcare costs. (SB2376 HD1)</p> | <p>HLT, CPC, FIN</p> |
| <a href="#">SB 2076, SD2</a><br><a href="#">(HSCR1080-16)</a><br><a href="#">Status</a>      | <p>RELATING TO HEALTH CARE.</p> <p>Establishes a durable medical equipment supplier license program for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies through the office of health care assurance. Allows license fees to be deposited into the office of health care assurance special fund. Amends the cap on amounts of the health care assurance special fund that may be used per fiscal year. Amends the balance of the office of health care assurance special fund above which moneys are deposited into the general fund. Effective 1/21/17. (SD2)</p>                               | <p>HLT, CPC, FIN</p> |
| <a href="#">SB 2383, SD2, HD1</a><br><a href="#">(HSCR1061-16)</a><br><a href="#">Status</a> | <p>RELATING TO THE HAWAII HEALTH CONNECTOR.</p> <p>Repeals the Hawaii Health Connector (Connector) as part of the transition to a federally supported, state-based exchange. Specifies that any debts and liabilities of the Connector remain that of the Connector and do not constitute the debts and liabilities of the State. Specifies that the provisions in the measure shall not diminish or limit the consumer protections contained in or alter the provisions of the Hawaii Prepaid Health Care Act. (SB2383 HD1)</p>   | <p>HLT, CPC, FIN</p> |
| <a href="#">SB 2672, SD1</a><br><a href="#">(HSCR1066-16)</a><br><a href="#">Status</a>      | <p>RELATING TO ADVANCED PRACTICE REGISTERED NURSES.</p> <p>Amends various statutes to clarify the role of advanced practice registered nurses with regards to their authority and participation in the health care system. Amends definitions in the statutes to conform with the duties and responsibilities of advanced practice registered nurses. (SD1)</p>  | <p>HLT, CPC, FIN</p> |
| <a href="#">SB 2861, SD2</a><br><a href="#">(HSCR1065-16)</a><br><a href="#">Status</a>      | <p>RELATING TO THE JOINT FORMULARY ADVISORY COMMITTEE.</p> <p>Repeals the Joint Formulary Advisory Committee established by the Department of Commerce and Consumer Affairs. Allows the Board of Nursing to be the sole authority that determines the exclusionary formulary for qualified advanced practice registered nurses with prescriptive authority. (SD2)</p>  | <p>HLT, CPC, FIN</p> |



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| <p><a href="#">SB 2675, SD1</a><br/><a href="#">(HSCR1031-16)</a><br/><a href="#">Status</a></p>      | <p>RELATING TO LICENSING.<br/>Authorizes the board of dental examiners, Hawaii medical board, and board of pharmacy to deny a license to an applicant who has been disciplined by another state or federal agency and the board of nursing to deny a license to an applicant who has been disciplined by another state agency. Authorizes the board of dental examiners, Hawaii medical board, board of nursing, and board of pharmacy to impose the same disciplinary action against a licensee as was taken by another state or federal agency. Establishes conditions for the disciplinary action. Prohibits a licensee from practicing until a final order of discipline is issued if the licensee has been prohibited from practicing in another state. Requires any final order of discipline taken to be public record. (SD1)</p> | <p>HLT, CPC, JUD</p> |
| <p><a href="#">SB 3092, SD2, HD1</a><br/><a href="#">(HSCR1097-16)</a><br/><a href="#">Status</a></p> | <p>RELATING TO PROCUREMENT.<br/>Authorizes procurement officers to consider a previously licensed and listed subcontractor's license as valid; provided that certain conditions are satisfied. (SB3092 HD1)</p>  | <p>EDB, CPC, FIN</p> |
| <p><a href="#">SB 2607, SD2</a><br/><a href="#">(HSCR1083-16)</a><br/><a href="#">Status</a></p>      | <p>RELATING TO STUDENT DATA MANAGEMENT.<br/>Limits the ways in which the operator of a website, online service, online application, or mobile application working with the DOE can use student data. Takes effect on 1/7/2059. (SD2)</p>   | <p>EDN, CPC, JUD</p> |
| <p><a href="#">SB 2329, SD1, HD1</a><br/><a href="#">(HSCR1039-16)</a><br/><a href="#">Status</a></p> | <p>RELATING TO SECURITY INTERESTS IN REAL PROPERTY.<br/>Requires a mortgagee or record assignee to provide to a mortgagor or borrower, upon full satisfaction of the mortgage and discharge of the secured debt, a reassignment or release of security interests in leases and rents that served as additional security for the mortgage. Authorizes title insurers or underwritten title companies to make demands on mortgagees and, in the absence of compliance, to reassign or release mortgagees' security interests in leases and rents on behalf of the mortgagee or record assignee, under certain conditions. Authorizes certain entities to institute an action in any circuit court to obtain the release or reassignment instrument in the absence of compliance of a mortgagee or record assignee. (SB2329 HD1)</p>        | <p>WAL, CPC, FIN</p> |
| <p><a href="#">SB 2660, HD1</a><br/><a href="#">(HSCR1040-16)</a><br/><a href="#">Status</a></p>      | <p>RELATING TO BUREAU OF CONVEYANCES.<br/>Removes the sunset date of Act 119, Session Laws of Hawaii 2013, as amended, thereby making permanent the voluntary deregistration process for fee non-time share interests. (SB2660 HD1)</p>  | <p>WAL, CPC, FIN</p> |

Copies of the proposed HD1 are available in room 320 and on the Legislature's Web site: <http://www.capitol.hawaii.gov>.

#### DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Persons submitting testimony on the day of the hearing **MUST** submit 22 copies at the hearing. Staff will not be able to make copies. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.



While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 22 copies (including an original) to Room 304 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-6211 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 10MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6160 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto:HouseInterpreter@Capitol.hawaii.gov) at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" website at [www.capitoltv.org](http://www.capitoltv.org) or call 536-2100.

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Rep. Angus L.K. McKelvey  
Chair

