

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, January 27, 2016 6:36 PM
To: HLTtestimony
Cc: mim@dcca.hawaii.gov
Subject: Submitted testimony for HB1555 on Jan 29, 2016 08:30AM
Attachments: HB1555_CCA-INS_01-29-16_HLT.pdf

Categories: Green Category

HB1555

Submitted on: 1/27/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------------|---------------------------|---------------------------|
| Martha Im | DCCA - Insurance Division | Comments Only | Yes |

Comments: see testimony attached

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DAVID Y. IGE
GOVERNOR
SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
www.hawaii.gov/dcca

CATHERINE P. AWAKUNI COLÓN
DIRECTOR
JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-EIGHTH LEGISLATURE
Regular Session of 2016

Friday, January 29, 2016
8:30 a.m.

TESTIMONY ON HOUSE BILL NO. 1555 – RELATING TO INSURANCE.

TO THE HONORABLE DELLA AU BELATTI, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs (“Department”).

The purpose of this bill is to promote the prompt payment by health insurers on clean claims and establishes penalties for nonpayment of clean claims in a specified time period. The Department submits the following comments.

Page 1, lines 5-10, deletes language which makes section 431:13-108, Hawaii Revised Statutes (“HRS”), applicable to insurers, mutual benefit societies, health maintenance organizations and dental service organizations issuing comprehensive medical plans. The Department recommends that this language remain in the law. By deleting this language, it may be inferred that it is the Legislature’s intention to (1) apply this section to limited lines licensees; and/or (2) that the Legislature’s intent is to apply this section only to chapter 431 since chapters 432 (mutual benefit societies), 432D (health maintenance organizations), and 423 (dental service corporations) are not part of the Insurance Code.

Page 5, lines 1-4, adds new language which mandates the accrual of interest for the payment of a clean claim related to the non-implementation or inoperability of ICD-10 for processing of the claim. The Department recommends that this new language

House Bill No. 1555
DCCA Testimony of Gordon Ito
Page 2

not be adopted and that the existing language remain unchanged. This is because the nonpayment of the claim may not be the fault of the insurer and may be because of provider error. This language as drafted would result in a benefit to the provider because of the provider's own error.

Page 6, line 19, through page 7, line 2, replaces the current penalty scheme under section 431:13-201, HRS, applicable to section 431:13-108, HRS, for one that provides solely for fines. The Department recommends that this amendment not be adopted because the revision would eliminate the ability of the Commissioner to issue a variety of other important sanctions including cease and desist orders and license suspension and revocation.

We thank this Committee for the opportunity to present testimony on this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 28, 2016 12:09 AM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: Submitted testimony for HB1555 on Jan 29, 2016 08:30AM

HB1555

Submitted on: 1/28/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|--------------------------|--|---------------------------|---------------------------|
| Maria Corazon E. Cariaga | Big Island Adult foster home operators | Support | No |

Comments: Good morning on behalf of the Big Island Adult Foster Home Operators I am supporting this HB1555 to being fair in timely reimbursement for the caregivers by the contracted Health Plans. Thank you for this opportunity given to us in sharing our support .

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January 29, 2016 at 8:30 AM
Conference Room 329

House Committee on Health

To: Chair Della Au Belatti
Vice Chair Richard P. Creagan

From: George Greene
President and CEO
Healthcare Association of Hawaii

Re: **Submitting Comments**
HB 1555, Relating to Insurance

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 180 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

The Healthcare Association of Hawaii would like to thank Chair Belatti, Vice Chair Creagan and the members of the House Committee on Health for the opportunity to **submit comments** on HB 1555. This legislation would, among other things, remove the exemption that Medicaid insurers have from the clean claims portion of section 431:13-108 of the Hawaii Revised Statutes.

We support the spirit of this legislation since it will help to ensure that all health insurers promptly pay claims for services administered to Medicaid enrollees. Providers should not be expected to "float" the costs of care and prompt payment of claims is vital to the operations of healthcare providers who rely on timely reimbursements to keep their doors open. We would respectfully suggest the adoption of the language in HB 1759, which would also exempt Medicaid from the state's clean claims law.

Thank you for your consideration of this matter.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 28, 2016 11:32 AM
To: HLTtestimony
Cc: hsapla@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/28/2016

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| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---|---------------------------|---------------------------|
| Helen Sumoba Sapla | Big Island Adult Foster Home Organization | Support | No |

Comments:

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**January 29, 2016 at 8:30 AM
Conference Room 329**

House Committee on Health

To: Representative Della Au Belatti, Chair
Representative Richard P. Creagan, Vice Chair

From: Steve Robertson
Executive Vice President – Chief Information Officer

Re: Testimony in Support, HB 1555, Relating to Insurance

My name is Steve Robertson, Executive Vice President and Chief Information Officer at Hawai'i Pacific Health (HPH). Hawai'i Pacific Health is a not-for-profit health care system, and the state's largest health care provider and non-governmental employer. Hawai'i Pacific Health is committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four hospitals, more than 50 outpatient clinics and service sites, and over 1,600 affiliated physicians. Hawai'i Pacific Health's hospitals are Kapi'olani Medical Center for Women & Children, Pali Momi Medical Center, Straub Clinic & Hospital and Wilcox Memorial Hospital.

HPH is writing in **support** of HB 1555. This legislation would remove the exemption that Medicaid insurers have from the clean claims portion of section 431:13-108 of the Hawaii Revised Statutes. This change will help to mitigate the adverse impacts of payment delays on clean claims across our four hospitals and affiliated providers.

Since 2009, the number of Medicaid enrollees has increased by over 100,000 individuals—a remarkable 45 percent increase in a few short years. Approximately 44% of all Medicaid/Quest discharges on O'ahu and 71% on the island of Kaua'i are discharged from a Hawai'i Pacific Health facility. This population often represents the most medically complex patients requiring the most intensive levels of care. At the same time, Medicaid/Quest plans are also the lowest reimbursing amongst our contracted plans. Therefore, the impact of delayed payment – particularly of a clean claim for care already deemed medically necessary and provided to Medicaid/Quest members – has a significant impact on both our organization and potentially access to care for the broader community.

We welcome this proposed legislation and believe it will better incentivize the plans to promptly reimburse providers for care that is medically necessary and already provided.



An Independent Licensee of the Blue Cross and Blue Shield Association

January 29, 2016

The Honorable Della Au Belatti, Chair
House Committee on Health
The Honorable Richard Creagan, Vice-Chair
House Committee on Health

Re: HB 1555 – Relating to Insurance

Dear Chair Belatti, Vice-Chair Creagan and Members of the Committees:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in opposition to HB 1555 which would amend HRS section 431:13-108 with regard to timely payment of claims and establish fines and penalties.

HMSA shares the Committee's interest in ensuring that our providers are paid in a timely basis as defined in HRS section 431:13-108. HMSA currently provides monthly reports to the state Med-QUEST division that have consistently demonstrated nearly 100% claims processing (for both paper and electronic claims) in accordance with the law.

We have concerns, however, with sections of HB 1555 relating to penalties and fines for failing to pay clean claims on a timely basis. We would urge the Committee to reconsider language within the bill that limits the Insurance Commissioner's duties to oversee the adjudication of late claims payments by restricting how fines are accrued. In cases where there is a disputed claim payment, it is has been our experience that the IC has the unique expertise, experience, and access to information that allows the office to best oversee this process.

In cases where there are delays in claims processing resulting from mistakes when the claim was submitted, our policy has always been to work with the provider to attain the correct information so as not to have adverse impact to our member.

Thank you for allowing us to testify on HB 1555.

Sincerely,

Jennifer Diesman
Vice President, Government Relations

ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. Box 970092, Waipahu, Hawai`i 96797

January 28, 2016

Norma Tan

President
Adult Foster Homecare
Association of Hawaii

RE: **HB1555 – Testimony in Support** – HLT 1/29/16 – Rm. 329 8:30 a.m.

Thelma Ortal

Immediate Past President
Adult Foster Homecare
Association of Hawaii

Dear Chair Belatti, Vice Chair Creagan, and Members of the Committees:

We **support HB1555**, which provides for the timely payment of clean claims. We believe the timely payment of claims will help the entire long term care and caregiving community. Community Care Foster Family Home (foster homes) have not received an increase in compensation rates for many years. Caring for patients on a 24/7 basis 365 days per year is not easy. We need your support to ensure providers are paid on a timely basis.

The heart of the foster home program is the family. We take disadvantaged individuals into our home and make them a part of our family. A sense of being part of a family is vital to any human being. Although we count our clients as part of our own family living in the home where we live, caregivers in foster homes must also make a living to care for our clients.

For these reasons, we **support HB 1555**.

Very truly yours,

Norma Tan
President

About AFHA

The Adult Foster Home Association of Hawaii (AFHA) is the industry trade association of providers under the Community Care Foster Family Home program under the Department of Human Services, State of Hawaii. With a membership of almost 750 providers, AFHA's mission is to promote the interests of providers as well as resident clients. AFHA members provide 24-hour care to resident clients 7 days a week, 365 days a year.

**January 29, 2016 at 8:30 AM
Conference Room 329**

House Committee on Health

To: Representative Della Au Belatti, Chair
Representative Richard P. Creagan, Vice Chair

From: Steve Robertson
Executive Vice President – Chief Information Officer

Re: Testimony in Support, HB 1555, Relating to Insurance

My name is Steve Robertson, Executive Vice President and Chief Information Officer at Hawai'i Pacific Health (HPH). Hawai'i Pacific Health is a not-for-profit health care system, and the state's largest health care provider and non-governmental employer. Hawai'i Pacific Health is committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four hospitals, more than 50 outpatient clinics and service sites, and over 1,600 affiliated physicians. Hawai'i Pacific Health's hospitals are Kapi'olani Medical Center for Women & Children, Pali Momi Medical Center, Straub Clinic & Hospital and Wilcox Memorial Hospital.

HPH is writing in **support** of HB 1555. This legislation would remove the exemption that Medicaid insurers have from the clean claims portion of section 431:13-108 of the Hawaii Revised Statutes. This change will help to mitigate the adverse impacts of payment delays on clean claims across our four hospitals and affiliated providers.

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We welcome this proposed legislation and believe it will better incentivize the plans to promptly reimburse providers for care that is medically necessary and already provided.

ADULT FOSTER HOMECARE ASSOCIATION OF HAWAII

P.O. Box 94033 Honolulu, Hawaii 96809

January 24, 1988

Hon. Mr.
Foster
541 Hahaione Avenue
Honolulu, Hawaii

The Hon.
Committee on Public Safety
Honolulu, Hawaii


RE: HB 1085 - Testimony in Support - Elder Care - 1988 Session

Dear Council Member, I am Linda Oregan and I am one of the Testifiers.

We represent 300000 people in the state who pay half of the cost of the services for the care of the elderly. We are currently paying for care and caregiving services. Community Care Family Care Program is a very important part of the state's care for the elderly. For the past several years, the state has been providing services to the elderly. We are currently paying for care and caregiving services.

The state of Hawaii has a very high percentage of the elderly population. The state has a very high percentage of the elderly population. The state has a very high percentage of the elderly population. The state has a very high percentage of the elderly population.

Respectfully,
Linda Oregan

Very truly yours,

Linda Oregan
President

1988-1989

For more information, please contact Linda Oregan at 541 Hahaione Avenue, Honolulu, Hawaii 96817. Phone: 832-1234. Fax: 832-5678. Email: linda@hawaii.aaahomecare.org

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 29, 2016 1:20 AM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|--|---------------------------|---------------------------|
| Rosita Lorenzo | Big Island Adult foster home operators | Support | No |

Comments:

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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Almira Acasio | Big Island Adult foster home operators | Support | No |

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HB1555

Submitted on: 1/29/2016

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| Submitted By | Organization | Testifier Position | Present at Hearing |
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| Emily Domingo | Big Island Adult foster home operators | Support | No |

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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Estilita Casino | Big Island Adult foster home operators | Support | No |

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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Filipina Andres | Big Island Adult foster home operators | Support | No |

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HB1555

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| Jocelyn Rosabia | Big Island Adult foster home operators | Support | No |

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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Larry Quebang | Big Island Adult foster home operators | Support | No |

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HB1555

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| Ligaya Fernandez | Big Island Adult foster home operators | Support | No |

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| Mercidita Tiangsing | Big Island Adult foster home operators | Support | No |

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United Caregivers of Hawaii

PO Box 971265

Waipahu, HI 96797

Mila Castro/President of United Caregivers of Hawaii

Attn: Committee on Health

Rep. Della Au Belatti, Chair

Representative Richard P. Creagan, Vice Chair

Date; Friday, January 29, 2016

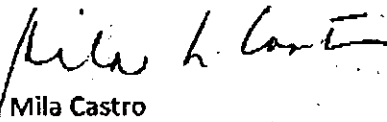
Time: 8:30am

Measure number: HB 1555 "Relating to Insurance"

MY TESTIMONY

I, Mila Castro, President of United Caregivers of Hawaii & we represent caregivers & I totally support this bill. Please pass this bill in order for our caregivers to get paid on time, because we have bills to pay also. If we pay our bills late then they automatically add a late charge.

Thank you very much.



Mila Castro

UCH President

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 29, 2016 1:17 AM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

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| Myrna Caro | Big Island Adult foster home operators | Support | No |

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| Norma Subia | Big Island Adult foster home operators | Support | No |

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 26, 2016 7:37 PM
To: HLTtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

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| Javier Mendez-Alvarez | Individual | Support | No |

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| Benita Riingen | Individual | Support | No |

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| Rueda Ramos | Individual | Support | No |

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| Dino Cacpal | Individual | Support | No |

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| Teresita Cacpal | Individual | Support | No |

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| Noemi Arzaga | Individual | Support | No |

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HB1555

Submitted on: 1/28/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Nancy Ibanez | Individual | Support | No |

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HB1555

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Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Tony Ibanez | Individual | Support | No |

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HB1555

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| Lorilyn Lagundi | Individual | Support | No |

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HB1555

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Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Franklin Mirasol | Individual | Support | No |

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HB1555

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Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Linda Mirasol | Individual | Support | No |

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HB1555

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| Randy Galzote | Individual | Support | No |

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HB1555

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| Marisol Galzote | Individual | Support | No |

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HB1555

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| Royal Solmerin | Individual | Support | No |

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| Joel Solmerin | Individual | Support | No |

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| Rachel Castro | Individual | Support | No |

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HB1555

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| Grace Jadulang | Individual | Support | No |

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| Liberty Albano | Individual | Support | No |

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| Grace Andres | Individual | Support | No |

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| Joane E. Cariaga | Individual | Support | No |

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| Maile Jane Cariaga | Individual | Support | No |

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HB1555

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| Frances Cariaga | Individual | Support | No |

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HB1555

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| Edna Salom | Individual | Support | Yes |

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HB1555

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| Jonnel Salom | Individual | Support | Yes |

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HB1555

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| Jayvie Sumoba | Individual | Support | No |

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HB1555

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| Victoria Llasus Baker | Individual | Support | No |

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HB1555

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| Cresencio Sapla | Individual | Support | No |

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| Pancho Sumoba | Individual | Support | No |

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| Romeo Salom JR | Individual | Support | No |

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HB1555

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| Romeo Salom SR. | Individual | Support | No |

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| Johper Salom | Individual | Support | No |

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| Alejandro Salom | Individual | Support | No |

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HB1555

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| Estela Ellazar | Individual | Support | No |

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| Carlina Fernandez | Individual | Support | No |

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| Genevie tuliao | Individual | Support | No |

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HB1555

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| Bernadette Carlson | Individual | Support | No |

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| Divina Eder | Individual | Support | No |

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| Edgar Alba | Individual | Support | No |

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| Edna Rice | Individual | Support | No |

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| Evelyn Isabelo | Individual | Support | No |

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| Imelda Pacris | Individual | Support | No |

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To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Irene Vidad | Individual | Support | No |

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 29, 2016 1:08 AM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jay Anches | Individual | Support | No |

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 28, 2016 6:01 PM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/28/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jeffrey Arellano | Individual | Support | No |

Comments:

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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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|---------------------|---------------------|---------------------------|---------------------------|
| Josephine Ganancial | Individual | Support | No |

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From: mailinglist@capitol.hawaii.gov
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Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Margaret Danielwsky | Individual | Support | No |

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From: mailinglist@capitol.hawaii.gov
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Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Maritess Tenorio | Individual | Support | No |

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 28, 2016 6:03 PM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

HB1555

Submitted on: 1/28/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Mildred de la Cruz | Individual | Support | No |

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
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Cc: cariagacora@yahoo.com
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HB1555

Submitted on: 1/29/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

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| Perla Valdez | Individual | Support | No |

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Cc: cariagacora@yahoo.com
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| Romeo Eder | Individual | Support | No |

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
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To: HLTtestimony
Cc: cariagacora@yahoo.com
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|---------------------|---------------------|---------------------------|---------------------------|
| Sherill Andres | Individual | Support | No |

Comments:

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HLTtestimony

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Sent: Thursday, January 28, 2016 6:02 PM
To: HLTtestimony
Cc: cariagacora@yahoo.com
Subject: *Submitted testimony for HB1555 on Jan 29, 2016 08:30AM*

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| Shirley Arellano | Individual | Support | No |

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, January 28, 2016 7:34 PM
To: HLTtestimony
Cc: wannetteg@aol.com
Subject: Submitted testimony for HB1555 on Jan 29, 2016 08:30AM

HB1555

Submitted on: 1/28/2016

Testimony for HLT on Jan 29, 2016 08:30AM in Conference Room 329

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| WANNETTE GAYLORD | Individual | Support | No |

Comments: I AM IN STRONG SUPPORT OF HB1555. IF A SERVICE IS PROVIDED AND A CLAIM FOR PAYMENT IS MADE WITHOUT ERROR, THE CLAIM SHOULD BE PAID PROMPTLY AND IF NOT, THE CLAIMANT SHOULD RECEIVE THE ORIGINAL CLAIM AMOUNT PLUS INTEREST. THANK YOU FOR LETTING ME TESTIFY IN SUPPORT OF HB1555.

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