
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that Act 251, Session
2 Laws of Hawaii 1997 (Act 251), provided much demanded and much
3 needed amendments to the motor vehicle insurance law to reduce
4 motor vehicle insurance premiums and preserve adequate
5 protection of the rights of drivers. One provision in Act 251
6 tied all provider fees to the medicare fee schedule used under
7 workers' compensation law and set the benefit for chiropractic
8 and acupuncture treatments at thirty visits at no more than \$75
9 per visit. Acupuncture codes were not included in the medicare
10 fee schedule as of the effective date of Act 251, and
11 acupuncturists were therefore placed under the same restrictions
12 as chiropractors. The benefit allowed for acupuncture
13 treatments has not increased in nearly twenty years, while rates
14 for other services, such as physical therapy and medical office
15 visits, have increased over the years.

16 The purpose of this Act is to increase the authorized
17 benefit for acupuncture treatments allowed under personal injury



1 protection benefits provided through motor vehicle insurance and
2 cap the total amount of benefits allowed for acupuncture,
3 chiropractic, and naturopathic treatments.

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

7 "§431:10C- Alternative care; acupuncture treatment;
8 personal injury protection benefits. Acupuncture treatment
9 shall be allowed for no more than thirty visits at a cost of no
10 more than \$105.70 per visit."

11 SECTION 3. Section 431:10C-103.6, Hawaii Revised Statutes,
12 is amended to read as follows:

13 **"§431:10C-103.6 Personal injury protection benefits tied**
14 **to prepaid health care plan for description of coverage only.**

15 (a) The benefits provided under section 431:10C-103.5 shall be
16 substantially comparable to the requirements for prepaid health
17 care plans, as provided in chapter 393 and rules of the
18 department of labor and industrial relations, pertaining to the
19 Prepaid Health Care Act. The reference to the Prepaid Health
20 Care Act is only for purposes of describing the coverages and
21 exclusions, without regard to any specific insurer or plan, and



1 shall not be construed to transfer coverage to the prepaid
2 health care plans. The precise charges and utilization rates
3 shall be as contained in the workers' compensation schedules as
4 provided under section 431:10C-308.5, unless modified by the
5 commissioner by rule under chapter 91.

6 (b) Chiropractic treatments shall be allowed for not more
7 than the lesser of the following:

8 (1) Thirty visits at no more than \$75 a visit, plus no
9 more than five x-rays at no more than \$50 each; or

10 (2) Treatment as defined by the Hawaii State Chiropractic
11 Association guidelines in effect on January 25, 1997.

12 ~~[(c) Acupuncture treatments shall be allowed for no more~~
13 ~~than thirty visits at no more than \$75 a visit.]~~

14 ~~-(d)]~~ (c) Naturopathic treatments shall be allowed for no
15 more than thirty visits at no more than \$75 a visit.

16 ~~[(e)]~~ (d) The combined total of naturopathic, chiropractic,
17 and acupuncture treatments may not exceed thirty visits.

18 (e) The combined total of naturopathic, chiropractic, and
19 acupuncture benefit for treatment shall not exceed \$2,250.

20 (f) The benefits under section 431:10C-103.5 may be with
21 copayment, and shall be subject to and apply the utilization



1 requirements applicable under prepaid health care plans, under
2 chapter 393."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 2112.



Report Title:

Motor Vehicle Insurance; Personal Injury Protection Benefits;
Acupuncture Treatments

Description:

Increases the authorized benefit for acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance. Caps total benefit amount for acupuncture, chiropractic, and naturopathic treatments. (HB235 HD1)

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