

Honolulu, Hawaii

February 17, 2017

RE: H.B. No. 235  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Health,  
to which was referred H.B. No. 235 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose of this measure is to increase the authorized benefit for acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance.

AcuPlan Hawaii; Iao Acupuncture and Spa, LLC; Mala Healing Arts, Maui Acupuncture; Molokai Acupuncture and Massage; Hawaii Oriental Medicine and Acupuncture Association; Institute of Clinical Acupuncture and Oriental Medicine; and numerous concerned individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Insurers Council, GEICO, Property Casualty Insurers Association of America, and a concerned individual testified in opposition to this measure. State Farm Mutual Automobile Insurance Company provided comments.

Your Committees have amended this measure by:

- (1) Removing the ties for acupuncture treatment fees to the workers' compensation fee schedule and instead establishing a separate fee of no more than \$105.70 per visit for these treatments;



- (2) Deleting the automatic escalator provision that ties increases in payments for acupuncture treatments with annual increases to the Medicare economic index;
- (3) Capping the total benefit amount for acupuncture, chiropractic, and naturopathic treatments under personal injury protection benefits at \$2,250;
- (4) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 235, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 235, H.D. 1, and be referred to your Committee on Finance.

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



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DELLA AU BELATTI, Chair



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ANGUS L.K. MCKELVEY, Chair





