

STAND. COM. REP. NO.

1259

Honolulu, Hawaii

MAR 29 2017

RE: S.C.R. No. 105
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.C.R. No. 105 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO
ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH
INSURERS, MUTUAL BENEFIT SOCIETIES, AND HEALTH MAINTENANCE
ORGANIZATIONS TO PROVIDE COVERAGE FOR MEDICALLY NECESSARY
COGNITIVE REHABILITATION THERAPY FOR SURVIVORS OF TRAUMATIC
BRAIN INJURY,"

begs leave to report as follows:

The purpose and intent of this measure is to request the
Auditor to assess the social and financial effects of requiring
health insurers, mutual benefit societies, and health maintenance
organizations to provide coverage for medically necessary
cognitive rehabilitation therapy for survivors of traumatic brain
injury.

Your Committee received testimony in support of this measure
from the Disability and Communication Access Board, Hawaii
Disability Rights Center, and three individuals.

Your Committee finds that traumatic brain injury is damage to
the brain caused by an external force. Traumatic brain injury may
produce a diminished or altered state of consciousness and may
result in an impairment of cognitive abilities or physical
functioning. Although immediate acute care for traumatic brain



injury has not generally been an issue, survivors may not have insurance coverage for rehabilitation care and further treatment, such as cognitive rehabilitation.

Your Committee further finds that cognitive rehabilitation is a systematically applied set of medical and therapeutic services designed to improve cognitive functioning and participation in activities that may be affected by difficulties in one or more cognitive domains. Cognitive rehabilitation therapy is central to brain injury rehabilitation and includes services provided by physicians, psychologists, physical therapists, occupational therapists, and speech-language pathologists.

Your Committee additionally finds that the Auditor last conducted an impact assessment report on cognitive rehabilitation in 2004, which reported an inconclusive finding on the mandated coverage for cognitive rehabilitation. The Auditor's 2004 report noted that the determination was hampered in part by the need for more effective evidence on effective treatments for traumatic brain injury. However, since that time, a range of studies on the treatment of traumatic brain injuries have been published. Accordingly, this measure requests the Auditor to conduct an impact assessment report on the social and financial effects of requiring coverage for medically necessary cognitive rehabilitation therapy for survivors of traumatic brain injury.

Your Committee has amended this measure by:

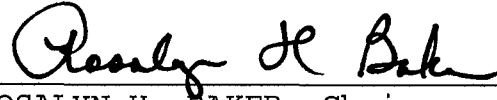
- (1) Specifying that cognitive rehabilitation, a systematically applied set of medical and therapeutic services designed to improve cognitive functioning and participation in activities that may be affected by difficulties in one or more cognitive domains, is central to brain injury rehabilitation;
- (2) Specifying that cognitive rehabilitation therapy services are often provided by physicians, psychologists, physical therapists, occupational therapists, and speech-language pathologists;
- (3) Including a definition of cognitive rehabilitation and requesting the Auditor to consider this definition for purposes of the impact assessment report;



- (4) Requesting the Auditor to consider specific studies related to cognitive rehabilitation; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 concurs with the intent and purpose of S.C.R. No. 105, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 105, S.D. 1.

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




ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 105	CPH, WAM	3/23/17		
<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)	/			
NISHIHARA, Clarence K. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
KIDANI, Michelle N.	/			
RUDERMAN, Russell E.				/
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