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# A BILL FOR AN ACT

RELATING TO INSURANCE.

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

1           SECTION 1. Chapter 431, Hawaii Revised Statutes, is  
2 amended by adding a new section to part VI of article 10A to be  
3 appropriately designated and to read as follows:

4           "§431:10A-     Short-term, limited-duration health  
5 insurance. (a) No insurer shall issue, renew, or re-enroll an  
6 individual in a short-term, limited-duration health insurance  
7 policy or contract if the individual was eligible to purchase  
8 health insurance through the federal health insurance  
9 marketplace during an open enrollment period, as provided by  
10 title 45 Code of Federal Regulations section 155.410, or a  
11 special enrollment period, as provided by title 45 Code of  
12 Federal Regulations section 155.420, in the previous calendar  
13 year; provided that any short-term, limited-duration health  
14 insurance coverage policy or contract that is delivered or  
15 issued for delivery in the State shall have an expiration date  
16 in the contract that is less than ninety-one days.

17           (b) For the purposes of this section:



1 "Renew or re-enroll" means the issuance of the same or a  
2 new short-term, limited-duration health insurance policy or  
3 contract to an individual who has been covered by a short-term,  
4 limited-duration health insurance policy or contract at any time  
5 within the previous calendar year.

6 "Short-term, limited-duration health insurance" means  
7 health insurance coverage provided to an individual under a  
8 policy or contract offered by a licensed insurer, regardless of  
9 the situs of the delivery of the policy or contract, that has a  
10 specified, short-term limited duration of less than ninety-one  
11 days and does not meet all of the requirements otherwise  
12 applicable to individual health insurance."

13 SECTION 2. Section 431:10A-102.5, Hawaii Revised Statutes,  
14 is amended to read as follows:

15 **"§431:10A-102.5 Limited benefit health insurance. (a)**  
16 Except as provided in subsection (b) or elsewhere in this  
17 article, when used in this article, the terms "accident  
18 insurance", "health insurance", or "sickness insurance" shall  
19 not include an accident-only[  ]; specified disease[  ]; hospital  
20 indemnity[  ]; long-term care[  ]; disability[  ]; dental[  ];  
21 vision[  ]; medicare supplement[  ]; short-term, limited-duration



1 health insurance; or other limited benefit health insurance  
2 contract that pays benefits directly to the insured or the  
3 insured's assigns and in which the amount of the benefit paid is  
4 not based upon the actual costs incurred by the insured.

5 (b) When used in sections 431:10A-104, 431:10A-105,  
6 431:10A-106, 431:10A-107, 431:10A-108, 431:10A-109, 431:10A-110,  
7 431:10A-111, 431:10A-112, 431:10A-113, 431:10A-114, 431:10A-117,  
8 431:10A-118, 431:10A-601, 431:10A-602, 431:10A-603, and  
9 431:10A-604, except as otherwise provided, the terms "accident  
10 insurance", "accident and health or sickness insurance", "health  
11 insurance", or "sickness insurance" shall include an accident-  
12 only[~~τ~~]; specified disease[~~τ~~]; hospital indemnity[~~τ~~]; long-term  
13 care[~~τ~~]; disability[~~τ~~]; dental[~~τ~~]; vision[~~τ~~]; medicare  
14 supplement[~~τ~~]; short-term, limited-duration health insurance; or  
15 other limited benefit health insurance contract regardless of  
16 the manner in which benefits are paid; provided that if any of  
17 the requirements set forth in the foregoing sections as applied  
18 to long-term care insurance conflict with the provisions of  
19 article 10H, the provisions of article 10H shall govern and  
20 control."



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

3 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Short-term, Limited-duration Health Insurance; Insurers; Renewal or Reenrollment; Prohibition

**Description:**

Prohibits an insurer from renewing or re-enrolling an individual in a short-term, limited-duration health insurance policy or contract if the individual was eligible to purchase health insurance through the federal health insurance marketplace during an open enrollment period or special enrollment period in the previous calendar year. Specifies that short-term, limited-duration health insurance shall be subject to the same provisions of the insurance code currently applicable to limited benefit health insurance. (HB1520 CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

