

LATE

March 29, 2018

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Re: HB 2128, HD2, SD1– Relating to Victims of Sexual Violence

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 2128, HD2, SD1, requiring health insurance coverage for clinical victim support services for victims of sexual violence. HMSA appreciates the intent of this measure and respectfully offers the following comments and concerns.

We appreciate and prefer the amendments made by the House Consumer Protection and Commerce Committee reflected in HB 2128, HD2. HMSA continues to believe this bill may not be necessary as there is no distinction made when a member has a mental health issue in regards to the cause or reason for the condition; we do, however, understand and appreciate that victims of sexual violence have particular support service needs that deserve specific consideration and we believe we meet these needs.

That being said, the amendments to HB 2128, HD2, SD1, raise a number of concerns that we wish to highlight for the Committee. In particular, the definition of “clinical victim support services”, under subsection 2, is expansive and unclear as to the breadth of services that could be included. This presents a problem for plans and providers in terms of managing this type of benefit.

We are also concerned that the amendments made in SD1, would require plans to allow providers to bill for ancillary services that are not technically health services. Allowing certain providers of “clinical victim support services” to bill for these services via this proposed statute while other providers are not, could be perceived as an equity issue by providers and members seeking services/reimbursement for treatment of other forms of trauma. This could lead to increased cost to plans, employers and their members.

We concur with the Insurance Commissioner’s suggestion that an Auditor’s report be commissioned in order to clarify what is and is not covered by the proposed mandate and also, allow plans and the state to determine associated costs.

We are, and have always been, committed to working with the stakeholders to find common ground to ensure that victims receive the care they deserve. Thank you for allowing us to provide these comments on HB 2128, HD2, SD1.

Sincerely,



Pono Chong
Vice-President, Government Relations

March 29, 2018

LATE

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

From: Mandy Finlay, Director of Public Policy
Hawaii Children's Action Network

Re: **HB 2128 HD2, SD1 – Relating to Victims of Sexual Violence – SUPPORT**
Hawaii State Capitol, Room 211, March 29, 2018, 10:50 AM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to support HB 2128, HD2, SD1 – Relating to Victims of Sexual Violence.

The Centers for Disease Control and Prevention estimate that 9% of child maltreatment cases involve sexual abuse. Experiencing sexual violence or abuse at a young age can cause serious trauma, and significantly increases the likelihood that the child will experience negative health and well-being outcomes throughout their lifetime.

After experiencing sexual violence, children often require comprehensive medical and psychological services to help them heal, continue healthy neurodevelopment, and navigate everyday life. In addition to psychotherapy, sexual violence victims may require clinical victim support services, a professional intervention delivered by a qualified mental health provider with whom the victim has established a therapeutic relationship. This relationship of trust is especially important when dealing with child victims. Clinical support services could include working with a child's school or other entities to arrange reasonable accommodations to address the child's needs, helping a child and their family to access government or community programs and services, and coordinating with the child's pediatrician.

Unfortunately, although these services are often medically necessary to address victims' needs, reimbursement to providers for these services is routinely denied by health insurers. This measure merely clarifies that these services are required to be covered under insurance plans, and will ensure that children are not denied access to the services they need to heal from sexual abuse.

For these reasons, HCAN respectfully requests that the committee vote to PASS this bill.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.

LATE



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**TESTIMONY FOR HOUSE BILL 2128, HOUSE DRAFT 2, SENATE DRAFT 1,
RELATING TO VICTIMS OF SEXUAL VIOLENCE**

**Senate Committee on Ways and Means
Hon. Donovan M. Dela Cruz, Chair
Hon. Gilbert S.C. Keith-Agaran, Vice Chair**

**Thursday, March 29, 2018, 10:50 AM
State Capitol, Conference Room 211**

Honorable Chair Dela Cruz and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of House Bill 2128, HD 2, SD 1, relating to victims of sexual violence.

IMUAlliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention services to 130 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims in total. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name.

Sex trafficking is a profoundly violent crime. The Average age of entry into commercial sexual exploitation is 13-years-old, with 60 percent of trafficked children being under the age of 16. Approximately 150 high-risk sex trafficking establishments operate in Hawai'i. An estimated 1,500-2,500 women and children are victimized by sex traffickers in our state annually. Over 120,000 advertisements for Hawai'i-based prostitution are posted online each year, a number that is rapidly increasing as technology continues to outpace the law. More than 80 percent of runaway youth report being approached for sexual exploitation while on the run, over 30 percent of whom are targeted within the first 48 hours of leaving home. With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone. Greater than 80 percent

of victims report being repeatedly raped and 95 percent report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence. As one underage survivor told IMUAlliance prior to being rescued, “I can’t be raped. Only good girls can be raped. I’m a bad girl. If I *want* to be raped, I have to *earn* it.”

Slavery has no place in paradise. For the sake of our survivors, we ask you to do all you can to ensure—and insure—their access to mental health services, including clinical case management. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

LATE

HB-2128-SD-1

Submitted on: 3/29/2018 1:23:13 AM
Testimony for WAM on 3/29/2018 10:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Testifying for Hawaii Women's Coalition	Support	No

Comments:

Aloha Chair Dela Cruz and members,
As in previous testimony the Coalition is in strong support of this measure.
Mahalo,
Ann S Freed
Co-Chair, Hawaii Women's Coalition

LATE

HB-2128-SD-1

Submitted on: 3/28/2018 7:46:08 PM

Testimony for WAM on 3/29/2018 10:50:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lea Minton	Individual	Support	No

Comments: