

SB 2340

SD2 HD1

A BILL FOR AN ACT

RELATING TO HEALTH INSURANCE.

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

1 SECTION 1. The legislature finds that the Patient
2 Protection and Affordable Care Act of 2010 ("Affordable Care
3 Act"), P.L. 111-148, has resulted in an estimated 20,000,000
4 Americans gaining health insurance coverage. The provisions
5 under the Affordable Care Act made changes to private insurance
6 that expanded coverage options, including permitting young
7 adults to remain on their parents' health insurance plans,
8 requiring health insurance plans to cover people with
9 preexisting health conditions, and prohibiting discrimination
10 based on gender. According to a report from the United States
11 Department of Health and Human Services, more than 6,000,000
12 uninsured young adults ages nineteen to twenty-five have gained
13 health insurance coverage due to the Affordable Care Act. This
14 is especially important because young adults were particularly
15 likely to be uninsured before the law went into effect.

16 The legislature further finds that the future of the
17 Affordable Care Act remains uncertain. The current Presidential



1 administration campaigned on a promise to repeal the Affordable
2 Care Act, and certain members of Congress have supported that
3 approach, which could have widespread and devastating
4 ramifications. The Urban Institute has estimated that repealing
5 the Affordable Care Act without an adequate replacement plan
6 that ensures affordable coverage would take health insurance
7 coverage away from 29,800,000 people nationwide by 2019, more
8 than doubling the total number of uninsured to 58,700,000.

9 The legislature concludes that, due to the uncertainty over
10 the future of the Affordable Care Act, it is vital to preserve
11 certain important aspects of the Act for residents of Hawaii.

12 Accordingly, the purpose of this Act is to ensure that the
13 following benefits made available under the Affordable Care Act,
14 which may not otherwise be available under the State's Prepaid
15 Health Care Act, remain available under Hawaii law:

- 16 (1) Extending dependent coverage for adult children until
17 the children turn twenty-six years of age;
- 18 (2) Prohibiting health insurance entities from imposing a
19 preexisting condition exclusion; and



1 (3) Prohibiting health insurance entities from using an
2 individual's gender to determine premiums or
3 contributions.

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

7 "§431:10A- Extension of dependent coverage. An
8 individual policy of accident and health or sickness insurance
9 and a health insurer offering individual accident and health or
10 sickness insurance coverage that provides dependent coverage of
11 children shall continue to make that coverage available for an
12 adult child until the child turns twenty-six years of age.
13 Nothing in this section shall require a policy or health insurer
14 to make coverage available for a child of a child receiving
15 dependent coverage. This section shall not apply to limited
16 benefit health insurance as provided pursuant to section
17 431:10A-102.5.

18 §431:10A- Prohibition of preexisting condition
19 exclusions. (a) No individual policy of accident and health or
20 sickness insurance issued or renewed in this State shall impose
21 any preexisting condition exclusion.



1 (b) For purposes of this section, a "preexisting condition
2 exclusion" means a limitation or exclusion of benefits,
3 including a denial of coverage, based on the fact that the
4 condition was present before the effective date of coverage (or
5 if coverage is denied, the date of the denial) under an
6 individual policy of accident and health or sickness insurance,
7 whether or not any medical advice, diagnosis, care, or treatment
8 was recommended or received before that day, and includes any
9 condition.

10 The term "preexisting condition exclusion" includes any
11 limitation or exclusion of benefits, including a denial of
12 coverage, applicable to an individual as a result of information
13 relating to an individual's health status before the
14 individual's effective date of coverage (or if coverage is
15 denied, the date of the denial) under an individual policy of
16 accident and health or sickness insurance, such as a condition
17 identified as a result of a pre-enrollment questionnaire or
18 physical examination given to the individual or a review of
19 medical records relating to the pre-enrollment period.

20 (c) This section shall not apply to limited benefit health
21 insurance as provided pursuant to section 431:10A-102.5.



1 §431:10A- Prohibited discrimination in premiums or
2 contributions. (a) No individual policy of accident and health
3 or sickness insurance and no health insurer offering individual
4 accident and health or sickness insurance coverage issued or
5 renewed in this State shall require an individual, as a
6 condition of enrollment or continued enrollment under the
7 policy, to pay a premium or contribution based on the
8 individual's gender that is greater than the premium or
9 contribution for a similarly situated individual of the opposite
10 gender who is covered under the same policy or a substantially
11 similar policy offered by the same insurer.

12 (b) This section shall not apply to limited benefit health
13 insurance as provided pursuant to section 431:10A-102.5."

14 SECTION 3. Chapter 431, Hawaii Revised Statutes, is
15 amended by adding three new sections to part II of article 10A
16 to be appropriately designated and to read as follows:

17 "§431:10A- Extension of dependent coverage. A group
18 policy of accident and health or sickness insurance and a health
19 insurer offering group accident and health or sickness insurance
20 coverage that provides dependent coverage of children shall
21 continue to make that coverage available for an adult child



1 until the child turns twenty-six years of age. Nothing in this
2 section shall require a policy or health insurer to make
3 coverage available for a child of a child receiving dependent
4 coverage. This section shall not apply to limited benefit
5 health insurance as provided pursuant to section 431:10A-102.5.

6 §431:10A- Prohibition of preexisting condition
7 exclusions. (a) No group policy of accident and health or
8 sickness insurance issued or renewed in this State shall impose
9 any preexisting condition exclusion.

10 (b) For purposes of this section, a "preexisting condition
11 exclusion" means a limitation or exclusion of benefits,
12 including a denial of coverage, based on the fact that the
13 condition was present before the effective date of coverage (or
14 if coverage is denied, the date of the denial) under a group
15 policy of accident and health or sickness insurance, whether or
16 not any medical advice, diagnosis, care, or treatment was
17 recommended or received before that day and includes any
18 condition.

19 The term "preexisting condition exclusion" includes any
20 limitation or exclusion of benefits, including a denial of
21 coverage, applicable to an individual as a result of information



1 relating to an individual's health status before the
2 individual's effective date of coverage (or if coverage is
3 denied, the date of the denial) under a group policy of accident
4 and health or sickness insurance, such as a condition identified
5 as a result of a pre-enrollment questionnaire or physical
6 examination given to the individual, or review of medical
7 records relating to the pre-enrollment period.

8 (c) This section shall not apply to limited benefit health
9 insurance as provided pursuant to section 431:10A-102.5.

10 §431:10A- Prohibited discrimination in premiums or
11 contributions. (a) No group policy of accident and health or
12 sickness insurance and no health insurer offering group accident
13 and health or sickness insurance coverage issued or renewed in
14 this State shall require an individual, as a condition of
15 enrollment or continued enrollment under the policy, to pay a
16 premium or contribution based on the individual's gender that is
17 greater than the premium or contribution for a similarly
18 situated individual of the opposite gender who is covered under
19 the same policy or a substantially similar policy offered by the
20 same insurer.



1 (b) This section shall not apply to limited benefit health
2 insurance as provided pursuant to section 431:10A-102.5."

3 SECTION 4. Chapter 432, Hawaii Revised Statutes, is
4 amended by adding three new sections to article 1 to be
5 appropriately designated and to read as follows:

6 "§432:1- Extension of dependent coverage. Each
7 individual or group hospital or medical service plan contract
8 and each mutual benefit society offering individual or group
9 hospital or medical service plan contracts that provide
10 dependent coverage of children shall continue to make that
11 coverage available for an adult child until the child turns
12 twenty-six years of age. Nothing in this section shall require
13 a plan contract to make coverage available for a child of a
14 child receiving dependent coverage.

15 §432:1- Prohibition of preexisting condition exclusions.

16 (a) No individual or group hospital or medical service plan
17 contract issued or renewed in this State shall impose any
18 preexisting condition exclusion.

19 (b) For purposes of this section, a "preexisting condition
20 exclusion" means a limitation or exclusion of benefits,
21 including a denial of coverage, based on the fact that the



1 condition was present before the effective date of coverage (or
2 if coverage is denied, the date of the denial) under an
3 individual or group hospital or medical service plan contract,
4 whether or not any medical advice, diagnosis, care, or treatment
5 was recommended or received before that day and includes any
6 condition.

7 The term "preexisting condition exclusion" includes any
8 limitation or exclusion of benefits, including a denial of
9 coverage, applicable to an individual as a result of information
10 relating to an individual's health status before the
11 individual's effective date of coverage (or if coverage is
12 denied, the date of the denial) under an individual or group
13 hospital or medical service plan contract, such as a condition
14 identified as a result of a pre-enrollment questionnaire or
15 physical examination given to the individual, or review of
16 medical records relating to the pre-enrollment period.

17 §432:1- Prohibited discrimination in premiums or
18 contributions. No individual or group hospital or medical
19 service plan contract and no mutual benefit society offering
20 individual or group hospital or medical service plan contracts
21 issued or renewed in this State shall require an individual, as



1 a condition of enrollment or continued enrollment under the plan
2 contract, to pay a premium or contribution based on the
3 individual's gender that is greater than the premium or
4 contribution for a similarly situated individual of the opposite
5 gender who is covered under the same plan contract or a
6 substantially similar plan contract offered by the same mutual
7 benefit society."

8 SECTION 5. Chapter 432D, Hawaii Revised Statutes, is
9 amended by adding three new sections to be appropriately
10 designated and to read as follows:

11 "§432D- Extension of dependent coverage. Each
12 individual or group policy, contract, plan, or agreement and
13 each health maintenance organization offering individual or
14 group policies, contracts, plans, or agreements that provides
15 dependent coverage of children shall continue to make that
16 coverage available for an adult child until the child turns
17 twenty-six years of age. Nothing in this section shall require
18 a policy, contract, plan, or agreement to make coverage
19 available for a child of a child receiving dependent coverage.

20 §432D- Prohibition of preexisting condition exclusions.
21 (a) No individual or group health maintenance organization



1 policy, contract, plan, or agreement issued or renewed in this
2 State shall impose any preexisting condition exclusion.

3 (b) For purposes of this section, a "preexisting condition
4 exclusion" means a limitation or exclusion of benefits,
5 including a denial of coverage, based on the fact that the
6 condition was present before the effective date of coverage (or
7 if coverage is denied, the date of the denial) under an
8 individual or group health maintenance organization policy,
9 contract, plan, or agreement, whether or not any medical advice,
10 diagnosis, care, or treatment was recommended or received before
11 that day and includes any condition.

12 The term "preexisting condition exclusion" includes any
13 limitation or exclusion of benefits, including a denial of
14 coverage, applicable to an individual as a result of information
15 relating to an individual's health status before the
16 individual's effective date of coverage (or if coverage is
17 denied, the date of the denial) under an individual or group
18 health maintenance organization policy, contract, plan, or
19 agreement, such as a condition identified as a result of a pre-
20 enrollment questionnaire or physical examination given to the



1 individual, or review of medical records relating to the pre-
2 enrollment period.

3 §432D- Prohibited discrimination in premiums or
4 contributions. No individual or group policy, contract, plan,
5 or agreement and no health maintenance organization offering
6 group or individual policies, contracts, plans, or agreements
7 issued or renewed in this State shall require an individual, as
8 a condition of enrollment or continued enrollment under a
9 policy, contract, plan, or agreement, to pay a premium or
10 contribution based on the individual's gender that is greater
11 than the premium or contribution for a similarly situated
12 individual of the opposite gender who is covered under the same
13 policy, contract, plan, or agreement or a substantially similar
14 policy, contract, plan, or agreement offered by the same health
15 maintenance organization."

16 SECTION 6. New statutory material is underscored.

17 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

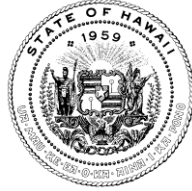
Health Insurance; Extended Coverage; Preexisting Conditions;
Nondiscrimination

Description:

Ensures certain benefits under the federal Affordable Care Act are preserved under Hawaii law, including: extending dependent coverage for adult children up to 26 years of age; prohibiting health insurance entities from imposing a preexisting condition exclusion; and prohibiting health insurance entities from using an individual's gender to determine premiums or contributions. Clarifies that benefits extended by this measure do not apply to limited benefit health insurance. Effective 7/1/2050. (SB2340 HD1)

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





DAVID Y. IGE
GOVERNOR
DOUGLAS S. CHIN
LIEUTENANT GOVERNOR

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CATHERINE P. AWAKUNI COLÓN
DIRECTOR
JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Tuesday, March 20, 2018
2:00 p.m.

TESTIMONY ON SENATE BILL NO. 2340, S.D. 2, H.D. 1, RELATING TO HEALTH INSURANCE.

TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs (“Department”) appreciates the opportunity to testify in support of S.B. 2340, S.D. 2, H.D.1, Relating to Health Insurance. My name is Gordon Ito, and I am the Insurance Commissioner for the Department’s Insurance Division.

The purpose of this bill is to ensure that coverage for health insurance is available to residents and that certain benefits created by the Patient Protection and Affordable Care Act (“ACA”) will continue to exist if the ACA is repealed. H.D. 1 amends this measure by clarifying that the benefits extended by this measure shall not apply to limited benefit health insurance.

This bill serves as a basis for further collaboration between stakeholders to address the complexities of the health care system and the uncertainty of the future of the ACA. Furthermore, this bill serves as a needed mechanism to retain people in the market and would have marketwide applicability. It also seeks to provide needed health coverage to as many residents as possible by extending dependent coverage for young

adult children, also known as the “young invincibles,” to further stabilize the health insurance marketplace. The provisions ensured by this bill, such as prohibiting preexisting condition exclusions, will ensure continued access to health insurance and reinforce Hawaii’s position as a state with one of the lowest uninsured rates in the nation.

Thank you for the opportunity to testify in support of this measure.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA
CYD HOFFELD
MARILYN LEE
JUDY KERN
AMY MONK
LISA ELLEN SMITH

Executive Director
Khara Jabola-Carolus

Email: kjabola-carolus@dhs.hawaii.gov

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

March 19, 2018

To: Rep. Takumi, Chair
Rep. Ichiyama, Vice Chair
Honorable Members of the H. Committee on Consumer Protection & Commerce

From: Khara Jabola-Carolus
Executive Director
Hawaii State Commission on the Status of Women

Re: Testimony in Support, SB2340 HD1

On behalf of the Commission on the Status of Women, thank you for this opportunity to testify in support of SB2340 HD1, which would codify certain provisions of the Affordable Care Act ("ACA") into state statute.

This bill, if passed, would prevent denial of coverage for pre-existing conditions, prohibit charging women more for coverage simply because of their gender, and allow adult children to remain on their parents' plans until age 26. This measure is critically important for women because one in four women in the United States have a preexisting condition.¹ Prior to the ACA, some insurance plans even denied coverage to women with a prior pregnancy.

While we need to design a healthcare system around health, the current United States Congress is poised to repeal most, if not all, of the most important provisions under the ACA. Over half a million Hawai'i residents were extended coverage through the ACA. Their lives are at stake. Given the opportunity to safeguard many of these important provisions by revising our state law, the Commission supports SB2340 HD1 and and urges the Committee to pass this important measure.

Sincerely,

Khara Jabola-Carolus

¹ Temple, B., "When Being a Woman Was a Preexisting Condition," National Women's Law Center, Jan. 19, 2017, <https://nwlc.org/blog/worst-tbt-ever-when-being-a-woman-was-a-pre-existing-condition/>



HAWAII MEDICAL ASSOCIATION

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www.hawaiimedicalassociation.org

TO:
COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Roy M. Takumi, Chair
Rep. Linda Ichiyama, Vice Chair

DATE: Tuesday, March 20, 2018
TIME: 2:00 P.M.
PLACE: Conference Room 329

FROM: Hawaii Medical Association
Dr. Christopher Flanders, DO, Executive Director
Lauren Zirbel, Community and Government Relations

Re: SB 2340

Position: SUPPORT

On behalf of the physician and medical student members of the Hawaii Medical Association, we are writing regarding our ongoing commitment to reform of the health care system.

The HMA and AMA have long advocated for health insurance coverage for all Americans, as well as pluralism, freedom of choice, freedom of practice, and universal access for patients. These policy positions are guided by the actions of the AMA House of Delegates, composed of representatives of more than 190 state and national specialty medical associations, and they form the basis for HMA consideration of reforms to our health care system.

Health system reform is an ongoing quest for improvement. The AMA supported passage of the Affordable Care Act (ACA) because it was a significant improvement on the status quo at that time. We continue to embrace the primary goal of that law—to make high quality, affordable health care coverage accessible to all Americans. We also recognize that the ACA is imperfect and there a number of issues that need to be addressed. As such, we welcome proposals, consistent with the policies of our House of Delegates, to make coverage more affordable, provide greater choice, and increase the number of those insured.

In considering opportunities to make coverage more affordable and accessible to all Americans, it is essential that gains in the number of Americans with health insurance

HMA OFFICERS

President – William Wong, Jr., MD President-Elect – Jerry Van Meter, MD Secretary – Thomas Kosasa, MD
Immediate Past President – Bernard Robinson, MD Treasurer – Elizabeth A. Ignacio, MD
Executive Director – Christopher Flanders, DO



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coverage be maintained.

We stand ready to work with you to continue the process of improving our health care system and ensuring that all residents of Hawaii have access to high quality, affordable health care coverage. We believe that this measure will help to solidify the gains made by the ACA for the people of Hawaii.

HMA OFFICERS

President – William Wong, Jr., MD President-Elect – Jerry Van Meter, MD Secretary – Thomas Kosasa, MD
Immediate Past President – Bernard Robinson, MD Treasurer – Elizabeth A. Ignacio, MD
Executive Director – Christopher Flanders, DO

To: Hawaii State House of Representatives Committee on Consumer Protection and
Commerce
Hearing Date/Time: Tuesday, March 20, 2018, 2:00 p.m.
Place: Hawaii State Capitol, Rm. 329
Re: Testimony of Planned Parenthood Votes Northwest and Hawaii in strong support of S.B.
2340, SD2, HD1, relating to Health Insurance

Dear Chair Takumi and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii (“PPVNH”) writes in strong support of S.B. 2340, SD2, HD1, which seeks to codify in Hawaii state law important protections currently required under the federal Affordable Care Act (“ACA”).

As the ACA is under constant attack by the current administration, it is up to Hawaii to ensure that we continue to have the health care that we need. Losing the critical protections established by the ACA would be devastating for the people in Hawaii who depend on them.

The ACA established important protections for all Americans, especially for those with pre-existing conditions, young people and women. Since the ACA became law, thousands in Hawai’i gained insurance coverage, 560,000 people with pre-existing conditions can no longer be denied coverage, and approximately 6,000 youth in Hawai’i have gained coverage because they are able to stay on their parent or guardian's health insurance plan until they turn 26 years old. In addition, the ACA created strong gains for women with its ban on gender discrimination, as women in Hawai’i were previously charged as much as 23 percent more than men for the same coverage.

S.B. 2340 would ensure that Hawaii people don’t have to worry about losing their health care and will continue to benefit from commonsense protections, including preventing denial of coverage for pre-existing conditions, prohibiting insurance from charging women more for coverage simply because of their gender, and allowing young people to stay on their parents’ plans until age 26.

Please maintain the provision that requires insurers to cover dependent youth under 26, as approximately 6000 young people in Hawaii would go without insurance if the federal government repeals this provision or the ACA in its entirety. This coverage is critical to the health, finances and future of our young people, who, according to the Center for Consumer Information and Insurance Oversight, have the highest rate of uninsured of any age group. About 30% of young adults are uninsured - more than one in five of the uninsured – a rate higher than any other age group and three times higher than the uninsured rate among children.¹

¹ The Center for Consumer Information & Insurance Oversight, Centers for Medicare and Medicaid Services, *Young Adults and the Affordable Care Act: Protecting Young Adults and Eliminating Burdens on Families and Businesses*, available at https://www.cms.gov/CCIIO/Resources/Files/adult_child_fact_sheet.html.

The Center also notes that young adults have the lowest rate of access to employer-based insurance as they often have entry-level jobs, part-time jobs, or jobs in small businesses, and other employment that typically comes without employer-sponsored health insurance.²

Young people are particularly at risk of immediate and future financial distress if they are uninsured and have a chronic condition, a medical emergency or suffer from even one illness or injury that requires medical treatment. One in six young adults has a chronic illness like cancer, diabetes or asthma and nearly half of uninsured young adults report problems paying medical bills.³ Please maintain this provision and promote the health and well-being of our young people.

As state lawmakers, you can help to ensure that people in Hawaii, and particularly our young people, continue to benefit from these critical and life-saving protections by passing S.B. 2340.

Thank you for this opportunity to testify in support of this important measure.

Sincerely,

Laurie Field
Hawaii Legislative Director

² *Id.*

³ *Id.*

SB-2340-HD-1

Submitted on: 3/16/2018 5:26:33 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
	Domestic Violence Action Center	Support	No

Comments:



March 20, 2018 at 2:00 PM
Conference Room 329

House Committee on Consumer Protection and Commerce

To: Chair Roy M. Takumi
Vice Chair Linda Ichiyama

From: Paige Heckathorn
Senior Manager, Legislative Affairs
Healthcare Association of Hawaii

Re: **Testimony in Support**
SB 2340 SD 2 HD 1, Relating to Health Insurance

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

We would like to thank the committee for the opportunity to **support** SD 2340 SD 2 HD 1, which would preserve key consumer protection provisions included in the *Affordable Care Act (ACA)*. While Hawaii has long been a national leader in providing access to quality care—in large part because of the visionary Prepaid Health Care Act—the ACA provided the opportunity for thousands of individuals, families and children to newly access insurance coverage with new protections.

Without the protections provided by the ACA, consumers could lose access to critical insurance that keeps them healthy—physically, mentally, and financially. Further, if individuals are unable to access health care, then it can create a strain on the health care system in the state as people seek primary care services in emergency departments, rather than in doctor's offices. We appreciate the State Legislature's focus on helping to protect access to care for all Hawaii residents and support the intent of this legislation to maintain coverage.

Thank you for your consideration of this matter.

SB-2340-HD-1

Submitted on: 3/17/2018 11:38:08 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	LGBT Caucus of the Democratic Party of Hawaii	Support	Yes

Comments:

Testimony of
Jonathan Ching
Government Relations Specialist

Before:
House Committee on Consumer Protection & Commerce
The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair

March 20, 2018
2:00 p.m.
Conference Room 329

Re: SB2340 SD2 HD1, Relating to Health Insurance

Chair Takumi, Vice-Chair Ichiyama, and committee members, thank you for this opportunity to provide testimony on SB2340 SD2 HD1, which ensures that certain benefits under the Patient Protection and Affordable Care Act (ACA) that are not otherwise available via the State's Prepaid Health Care Act, remain available to Hawai'i's residents regardless of the status of the ACA.

Kaiser Permanente Hawai'i SUPPORTS SB2340 SD2 HD1

The State of Hawai'i has been a pioneer among the states in healthcare for decades. Notably, the Legislature's passage of the Hawai'i Prepaid Health Act (PHCA) in 1974 was the first in the nation to set minimum standards of healthcare coverage for workers. Under the PHCA, Hawaii has long boasted low uninsured rates. With the enactment of the ACA in 2010, many more residents obtained affordable health insurance. While Congressional Republicans were unable to successfully "repeal and replace" the ACA last year, there is still much uncertainty moving forward at the federal level.

As part of one of the nation's largest nonprofit integrated health care systems, Kaiser Permanente Hawai'i seeks to make healthcare more affordable and available to everyone. We believe the ACA is a great-step forward and we continue to support the ACA's Individual insurance exchanges. As such, Kaiser Permanente Hawai'i is committed to ensuring that the following will remain available to individual and small group members, as well as other qualifying plans: (1) Extending dependent coverage for adult children up to 26 years of age; (2) Prohibiting health insurance entities from imposing a preexisting condition exclusion; and (3) Prohibiting health insurance entities from using an individual's gender to determine premiums or contributions.

We look forward to having the opportunity to work with the Committee to further SB2340 SD2 HD1. Thank you for the opportunity to testify on this measure.

COMMUNITY ALLIANCE ON PRISONS

P.O. Box 37158, Honolulu, HI 96837-0158

Phone/E-Mail: (808) 927-1214 / kat.caphi@gmail.com



COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

Rep. Roy Takumi, Chair

Rep. Linda Ichiyama, Vice Chair

Tuesday, March 20, 2018

2:00 PM

Room 329

STRONG SUPPORT - SB 2340 SD2, HD1 - ENSURING BENEFITS OF AFFORDABLE CARE ACT

Aloha Chair Takumi, Vice Chair Ichiyama and Members of the Committee!

My name is Kat Brady and I am the Coordinator of Community Alliance on Prisons, a community initiative promoting smart justice policies in Hawai'i for more than two decades. This testimony is respectfully offered on behalf of the families of **ASHLEY GREY, DAISY KASITATI, JOEY O'MALLEY, JESSICA FORTSON AND ALL THE PEOPLE WHO HAVE DIED UNDER THE "CARE AND CUSTODY" OF THE STATE** as well as the approximately 5,500 Hawai'i individuals living behind bars or under the "care and custody" of the Department of Public Safety on any given day. We are always mindful that approximately 1,600 of Hawai'i's imprisoned people are serving their sentences abroad thousands of miles away from their loved ones, their homes and, for the disproportionate number of incarcerated Kanaka Maoli, far, far from their ancestral lands.

SB 2340 SD2, HD1 ensures certain benefits under the federal Affordable Care Act are preserved under Hawaii law, including: extending dependent coverage for adult children up to 26 years of age; prohibiting health insurance entities from imposing a preexisting condition exclusion; and prohibiting health insurance entities from using an individual's gender to determine premiums or contributions.

Community Alliance on Prisons is in strong support of this measure that provided healthcare for millions of people, some for the first time! Healthcare should not be an economic decision, a government that cares about its people must work to ensure that their constituents have access to safe and affordable healthcare.

That's what the Affordable Care Act is all about. It's about filling the gaps in employer-based care so that when we lose a job, or go back to school, or start that new business, we'll still have coverage.

Barack Obama

We urge the committee to support this important measure. Mahalo for this opportunity to testify.



ACOG
The American College of
Obstetricians and Gynecologists

*American College of
Obstetricians and Gynecologists
District VIII, Hawai'i (Guam & American
Samoa) Section*

TO: House Committee on Consumer Protect & Commerce
Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair

DATE: Tuesday, March 20, 2018, 2:00PM
PLACE: Conference Room 329

FROM: Hawai'i Section, ACOG
Dr. Greigh Hirata, MD, FACOG, Chair
Dr. Chrystie Fujimoto, MD, FACOG, Vice-Chair
Dr. Reni Soon, MD, MPH, FACOG, Legislative Chair
Lauren Zirbel, Community and Government Relations

**SB 2340_SD2_HD1 – Relating to Health Insurance
Position - STRONG SUPPORT**

The Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) strongly supports SB 2340_SD2_HD1, which seeks to codify in Hawai'i state law important protections currently required under the federal Affordable Care Act (“ACA”). As a Section of the Nation’s leading group of physicians dedicated to improving health care for women, HI ACOG represents more than 200 obstetrician/gynecologist physicians in our state.

Importance of Increasing Access to Healthcare

- Prior to implementation of the ACA in 2010, 1 in 3 young adults aged 19 to 25 years were uninsured.¹
- With the ACA’s dependent coverage provision which requires insurance companies to offer coverage to adult children up to age 26 under their parent’s plans, insurance coverage among 19-25 years olds increased by up to 7 percentage points. This was also associated with a decline in the percentage of young adults reporting delays in medical care due to cost, an increase in the percentage reporting excellent mental and physical health, and a reduction in the percentage having large out-of-pocket medical expenditures.²
- No one, especially infants and children, should be denied health insurance based on “pre-existing” conditions.

Importance of Reducing Racial and Ethnic Health Disparities

- While millions have been able to obtain health insurance since implementation of the ACA, the greatest gains in insurance coverage have been among ethnic minority groups.³

Importance of Eliminating Gender Discrimination in Health Insurance

- Insurance discrimination based on sex should not be tolerated. Over forty years ago, the insurance industry voluntarily abandoned its practice of using race as a rating factor, despite

¹ Cohen, R. & Martinez, M. *Health insurance coverage: Early reports of estimates from the National Health Interview Survey, January-March 2014*. National Center for Health Statistics, Hyattsville, MD.

² Lipton, B.J., Decker, S.L., & Sommers, B.D. *The Affordable Care Act appears to have narrowed racial and ethnic disparities in insurance coverage and access to care among young adults*. Medical Care Research and Review, 2017.

³ Ibid.

their claim that race rating was actuarially sound. It's time to end rating discrimination against women too.

- Insurers deny coverage for medical histories unique to or disproportionately affecting women, such as a past cesarean delivery, previous pregnancies, or having been a victim of domestic violence.
- It is well known that pregnancy coverage saves money by improving maternal and child outcomes.

Hawai'i has a proud history of progressive measures to protect the health of our people, such as the Hawai'i Prepaid Health Care Act. At a time when the current federal administration is rolling back health care protections, the Hawai'i State Legislature needs to act to ensure that our residents will continue to have access to quality health care. HI ACOG urges you to keep Hawai'i residents healthy by passing SB2340_SD2_HD1.

We stand ready to provide you with factual information on medical issues that come before the Legislature, and hope you will feel free to contact us at any time. Thank you for the opportunity to testify.

SB-2340-HD-1

Submitted on: 3/18/2018 4:41:25 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan J. Wurtzburg	American Association of University Women, Hawaii	Support	No

Comments:

This bill is important. I teach for the UH system, and I am especially concerned about the effects of health legislation on my students. Please consider the young people in our state who need access to health care. I hear sad stories from my students, and I would like to see their lives improved by this much needed bill.



THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members, Committee on Consumer Protection and Commerce

From: Paula Yoshioka, Vice President, Government Relations and External Affairs, The
Queen's Health Systems

Date: March 19, 2018

Hrg: House Committee on Consumer Protection and Commerce Hearing; Tuesday, March 20,
2018 at 2:00 P.M. in Room 329

Re: **Support for SB 2340, SD2, HD1, Relating to Health Insurance**

My name is Paula Yoshioka, and I am a Vice President at The Queen's Health Systems (QHS). I would like to express my **support** for the intent of SB 2340, SD2, HD1, Relating to Health Insurance. This measure would keep in place provisions initially established under the Federal Affordable Care Act (ACA) such as dependent coverage for adult children up to 26 years of age, prohibit health insurers from imposing a preexisting condition exclusion, and prohibit health insurers from using an individual's gender to determine premiums or contributions.

Across the nation about 20 million more adults have gained coverage through the ACA and the country has seen the uninsured rate drop by nearly 40 percent or more for every income group.¹ For Hawaii, number of uninsured individuals declined by 46 percent between 2013 and 2016.²

The mission of QHS to provide quality health care services to Native Hawaiians and the people of Hawaii regardless of their ability to pay. QHS is concerned that the dismantling of the ACA would result in thousands of our patients losing coverage. In 2016, QHS absorbed \$55.9 million in Medicaid reimbursement shortfalls that did not cover the full cost of care. As QHS continues to grow and meets the needs of our community, ensuring that our patients have access to health insurance is critical for our health care system.

We commend the legislature for introducing this measure that seeks to protect access to health care coverage for the people of Hawaii. Thank you for your time and attention to this important issue.

¹ United States Department of Health and Human Services, ASPE Issue Brief, "Affordable Care Act Has Led to Historic, Widespread Increase in Health Insurance Coverage",

<https://aspe.hhs.gov/sites/default/files/pdf/207946/ACAHistoricIncreaseCoverage.pdf>

² United States Census Bureau, "Health Insurance Coverage in the United States: 2016",

<https://www.census.gov/content/dam/Census/library/publications/2017/demo/p60-260.pdf>

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting SB 2340 SD2 HD1 -- Relating to Health Insurance
House Committee on Consumer Protection & Commerce
Scheduled for hearing on Tuesday, March 20, 2018, at 2:00 PM, in Conference Room 329

Dear Chair Takumi, Vice Chair Ichiyama, and members of the Committee:

Thank you for the opportunity to testify in SUPPORT of **SB 2340 SD2 HD1**, which would ensure that certain benefits under the federal Affordable Care Act (ACA) are preserved under Hawai'i law.

The ACA established important protections for Hawai'i residents, especially the low-income workers who were most likely to lack health insurance before its passage. As you know, lawmakers in Washington, DC have attempted to repeal the ACA numerous times, threatening the coverage gains provided by it.

This bill would help keep families in Hawai'i both healthy and financially solvent by keeping in place many of the provisions of the ACA that Hawai'i residents have depended on since the ACA went into effect. This bill prevents denial of coverage for pre-existing conditions, prohibits charging women more for coverage simply because of their gender, and allows young people to stay on their parents' plans until age 26.

This bill is especially important for our low-income neighbors. Research has shown that the expansion of coverage afforded by the ACA has improved medical care and health among low-income adults.ⁱ The effects were especially important for those with chronic conditions. The ACA's prevention of denial of coverage for pre-existing conditions is crucial for these patients.

Bankruptcy experts have observed a sharp drop in bankruptcies since the ACA was passed. Nearly all agree that expanded health coverage was a major factor in this decline.ⁱⁱ In addition, research has found that medical costs are "pivotal" in over a quarter of personal bankruptcies among low-income households.ⁱⁱⁱ

This bill would help to ensure that Hawai'i residents continue to benefit from many of the ACA's most important requirements, no matter what happens at the federal level.

We appreciate your consideration of this testimony.

ⁱ "Three-Year Impacts of the Affordable Care Act: Improved Medical Care and Health Among Low-Income Adults," <http://www.commonwealthfund.org/publications/in-the-literature/2017/may/aca-improved-medical-care-and-health>

ⁱⁱ "How the Affordable Care Act Drove Down Personal Bankruptcy," *Consumer Reports*, <https://www.consumerreports.org/personal-bankruptcy/how-the-aca-drove-down-personal-bankruptcy/>

ⁱⁱⁱ "Health insurance and the consumer bankruptcy decision," *Journal of Public Economics*, <https://www.scholars.northwestern.edu/en/publications/health-insurance-and-the-consumer-bankruptcy-decision-evidence-fr>



Date: March 18, 2018

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

From: Jessica Yamauchi, Executive Director, Hawai'i Public Health Institute

Re: **Support for SB 2340 SD2 HD1 Relating to Health Insurance**

Hrg: March 20, 2018 at 2:00 pm at Conference Room 329

Thank you for the opportunity to offer testimony in support of SB 2340 SD2 HD1 Relating to Health Insurance.

The Hawai'i Public Health Institute (HIPHI) supports and promotes policy efforts to create a healthy Hawai'i. HIPHI weaves silos into working relationships as an effective network, ensuring that we come together across sectors to advance collaboration and innovation in public health and work towards making Hawai'i the healthiest place to live.

HIPHI supports SB 2340, SD2 HD1 which will preserve critical protections of the federal Affordable Care Act (ACA) for Hawaii residents, including; extending dependent coverage for adult children until age 26; prohibiting health insurance entities from imposing a pre-existing condition exclusion; and prohibiting health insurance entities from using an individual's gender or age to determine premiums or contributions. Access to health care should be a right and not a privilege.

Residents of Hawaii and our nation have benefited from the ACA and we need to ensure that Hawaii continues to implement the ACA as intended. We support this measure and respectfully ask that you pass this bill out of committee.

Thank you for the opportunity to provide testimony.

A handwritten signature in black ink that reads 'Jessica Yamauchi'.

Jessica Yamauchi, MA
Executive Director



March 20, 2018

To: Representative Roy Takumi Chair
Representative Linda Ichiyama, Vice Chair and
Members of the Committee on Consumer Protection and Commerce

From: Jeanne Y. Ohta, Co-Chair

RE: HB 2340 SD2 Relating to Health Insurance
Hearing: Tuesday, March 20, 2018, 2:00 p.m., Room 329

POSITION: Strong Support

The Hawai'i State Democratic Women's Caucus writes in strong support of SB 2340 SD2 Relating to Health Insurance, which seeks to codify in Hawaii state law important protections currently required under the federal Affordable Care Act ("ACA").

As the ACA is under constant attack by the current administration, it is up to states to ensure that we continue to have the health care that we need. Losing the critical protections established by the ACA would be devastating for the women, men, and families in Hawai'i who depend on them.

The ACA established important protections for all Americans, and for women in particular. If the ACA were repealed, 55 million women across the country could be discriminated against simply because of their gender. An additional 560,000 people could be denied coverage based on their pre-existing conditions and over 2 million young people could lose their health insurance entirely.

SB 2340 SD2 would ensure that Hawaii's residents will continue to benefit from common sense protections, including preventing denial of coverage for pre-existing conditions, prohibiting insurance from charging women more for coverage simply because of their gender, and allowing young people to stay on their parents' plans. We believe that children should be covered until age 26 by their parents' plans.

We ask that the committee pass this measure to protect essential health coverage.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls. Thank you for the opportunity to provide testimony.



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

**TESTIMONY FOR SENATE BILL 2340, SENATE DRAFT 2, HOUSE DRAFT 1,
RELATING TO HEALTH INSURANCE**

House Committee on Consumer Protection and Commerce

Hon. Roy M. Takumi, Chair

Hon. Linda Ichiyama, Vice Chair

**Tuesday, March 20, 2018, 2:00 PM
State Capitol, Conference Room 329**

Honorable Chair Takumi 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 Senate Bill 2340, SD 2, HD1, relating to health insurance.

President Donald Trump and the Republicans who currently control Congress have moved to repeal the Affordable Care Act, recently eliminating the individual mandate at the core of Obamacare in the GOP's heartless tax reform bill enacted at the end of 2017. To date, they've yet to finalize a plan for replacing the ACA, much less one that continues coverage for millions of Americans who will lose their health insurance upon the ACA's complete repeal.

Without access to health care, the inalienable rights to life, liberty, and the pursuit of happiness can be neither pursued nor obtained. For the islands, this measure enshrines in state law the extension of dependent coverage for adult children until the age of 26, prohibits health insurers from imposing a preexisting condition exclusion, and bans insurers from using an individual's gender to determine premiums or contributions, all of which may be under threat from conservatives who place wealthy corporate donors before the well-being of working class families.

Health care is a human right. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance



healthymothers
healthybabies
COALITION OF HAWAII

To: COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing Date/Time: Tuesday, March 20, 2018, 2:00 p.m.

Re: TESTIMONY IN SUPPORT OF S.B. 2340 SD2 HD1 - RELATING TO HEALTH INSURANCE

Dear Chair Takumi, Vice Chair Ichiyama and Members of the Committee,

Healthy Mothers Healthy Babies is in support of S.B. 2340 SD2 HD1, which seeks to ensure certain benefits afforded under the federal Affordable Care Act (ACA) are preserved under Hawaii law. As the current administration is in constant attack of the ACA, it is up to our state to ensure that we continue to provide these health care benefits and provisions, as losing the vital protections of the ACA would devastate the many people of Hawaii who depend on it. This bill prevents denial of coverage for pre-existing conditions, prohibits insurance from charging women more for coverage simply because of their gender, and allows young people to stay on their parents' plans until age 26.

The ACA establishes protection for all Americans, and for women in particular. If the ACA were repealed, 55 million women across the nation could be discriminated against based on gender. Additionally, 560,000 people could be denied health coverage for pre-existing conditions and over 2 million young adults could lose health insurance.

Losing the protections of the ACA would be devastating for all the women, children and families in Hawaii who depend on the essential preventative health care benefits, contraception and breastfeeding coverage, protection from exclusion for a preexisting condition, non-discrimination to determine premiums, and much more.

Many mothers who have accessed information, education and resources through HMHB credit the ACA for their ability to receive a breast pump and lactation services. This critical protection has helped more mothers to breastfeed their infants, longer and more exclusively, than before this protection was implemented. As mom Victoria Fadli stated, *"If it wasn't for the breast pump we got for free, my daughter wouldn't have received breast milk for as long as she did."*

The ACA has led to huge gains for reproductive health and a significant increase in access to family planning and other preventive care, both nationally and here in Hawaii. Please help us to protect the residents of Hawaii by ensuring health insurance is there when people need it.

Thank you for supporting S.B. 2340 SD2 HD1 and for the opportunity to submit testimony.

Sincerely,
Lisa Kimura
Executive Director



An Independent Licensee of the Blue Cross and Blue Shield Association

March 20, 2018

The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
House Committee on Consumer Protection and Commerce

Re: SB 2340, SD2, HD1 – Relating to Health Insurance

Dear Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 2340, SD2, HD1, which ensures certain benefits under the federal Affordable Care Act are preserved under Hawaii law, including: extending dependent coverage for adult children up to 26 years of age; prohibiting health insurance entities from imposing a preexisting condition exclusion; and prohibiting health insurance entities from using an individual's gender to determine premiums or contributions. Additionally, SB2340, SD2, HD1 clarifies that benefits extended by this measure do not apply to limited benefit health insurance.

HMSA supports the intent of SB 2340, SD2, HD1 to preserve certain provisions of the Affordable Care Act for the residents of Hawaii, despite the uncertainties surrounding the current Presidential administration's efforts to "repeal and replace" the Affordable Care Act. These provisions, along with Hawaii's Prepaid Health Care Act will help to ensure that the advancements made in lowering the number of uninsured will not be lost.

Thank you for allowing us to comment on SB 2340, SD2, HD1.

Sincerely,

Jennifer Diesman
Senior Vice-President, Government Relations



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Consumer Protection & Commerce

Testimony by
Hawaii Government Employees Association

March 20, 2018

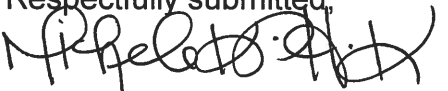
S.B. 2340, S.D. 2, H.D. 1 – RELATING TO
HEALTH INSURANCE

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of S.B. 2340, S.D. 2, H.D. 1 which would ensure that important provisions contained in the federal Affordable Care Act are preserved in state law.

Based on their campaign rhetoric, our current U.S. President and the Republican controlled United States Congress are positioning to repeal many important aspects of the Affordable Care Act, leaving millions of Americans, including a reported 54,000 Hawaii residents, without health insurance coverage. Passage of this legislation and codification of benefits into state law will ensure that Hawaii's residents are insulated from any negative repercussions from the federal government. Specifically, this measure would extend dependent coverage for adult children until they turn twenty-six years old, prohibit health insurance entities from denying coverage for pre-existing conditions, and prohibit health insurance entities from using an individual's gender to determine premiums or contributions.

We respectfully request your consideration in passing this important legislation. Thank you for the opportunity to testify in strong support of S.B. 2340, S.D. 2, H.D. 1.

Respectfully submitted,


Randy Ferreira
Executive Director

eliminating racism
empowering women

ywca

O'ahu

Fernhurst YWCA
1566 Wilder Avenue
Honolulu, Hawai'i 96822
808.941.2231

Kokokahi YWCA
45-035 Kāne'ohe Bay Drive
Kāne'ohe, Hawai'i 96744
808.247.2124

Laniākea YWCA
1040 Richards Street
Honolulu, Hawai'i 96813
808.538.7061

ywcaoahu.org

Hawaii State House Committee on Consumer Protection & Commerce
Hearing Date/Time: Tuesday, March 20, 2018, 2PM
Hawaii State Capitol, Rm. 329

Position Statement Supporting Senate Bill 2340 SD2 HD1

Chair Takumi, Vice Chair Ichiyama, and members of the committee, on behalf of YWCA O'ahu we thank you for the opportunity to share our testimony in **strong support of SB 2340 SD2 HD1**, relating to health insurance.

Senate Bill 2340 would prevent insurance companies from reviving the practice of discriminating against women. The nation made great strides in equality with the passage of the Affordable Care Act and the adoption of protections for women and their health. As a state, we now have the opportunity to ensure those protections stand.

The bill prohibits women being charged more by their insurance companies due to their gender and requires insurance to continue covering women's preventive services without cost-sharing. These medically needed and necessary services include breastfeeding support, supplies and counseling; well-women visits; and pregnancy, maternity, and newborn care. It also prohibits insurance companies from denying coverage for pre-existing conditions. Being a victim of domestic violence or sexual assault, having cesarean sections, and surviving breast and cervical cancers were all reasons why women were denied coverage. We cannot let gender discrimination back into health care coverage.

YWCA O'ahu **strongly supports SB 2340 SD2 HD1** and the protections it preserves for women and their families. Thank you for your consideration and for the opportunity to provide testimony on this matter.

Kathleen Algire
Director, Public Policy and Advocacy
YWCA O'ahu

YWCA IS ON A MISSION



March 19, 2018

Representative Roy M. Takumi, Chair
House Committee on Consumer Protection & Commerce

Re: S.B. 2340, S.D.2, H.D.1 Relating to Health Insurance

Hearing: Tuesday, March 20, 2018, 2:00 p.m., Room 329

Dear Chair Takumi and Members of the Committee on Consumer Protection & Commerce:

Hawaii Women Lawyers ("HWL") submits testimony in **strong support** of S.B. 2340, S.D.2, H.D.1, which preserves certain protections established under the federal Affordable Care Act (ACA) in state law. These protections include dependent coverage for adult children up to 26 years old, prohibiting the use of preexisting conditions to deny coverage, and prohibiting the use of gender to determine premiums or contributions.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

HWL is in strong support of S.B. 2340, S.D.2, H.D.1. Prior to the passage of the Affordable Care Act, insurers could deny coverage to individuals for medical histories that disproportionately affected women. Since the ACA became law, many more people in Hawai'i have had access to health insurance coverage. The ACA also established important protections for young people, those with pre-existing conditions, and women and families. In addition, the ACA created strong gains for women in particular, as it prohibited the practice of charging women higher premiums than men for the same coverage.

S.B. 2340, S.D.2, H.D.1 would ensure that our community will continue to benefit from access to healthcare, by keeping discriminatory barriers out of health insurance coverage and guaranteeing coverage to more individuals. For the above reasons, we support S.B. 2340, S.D.2, H.D.1 and respectfully request that the Committee pass this measure.

Executive Director
Adriana Ramelli

Advisory Board

President
Mimi Beams

Joanne H. Arizumi

Mark J. Bennett

Andre Bisquera

Kristen Bonilla

Marilyn Carlsmith

Dawn Ching

Senator (ret.)
Suzanne Chun Oakland

Monica Cobb-Adams

Donne Dawson

Dennis Dunn

Steven T. Emura, MD

Councilmember
Carol Fukunaga

Senator
Josh Green, MD

David I. Haverly

Linda Jameson

Michael P. Matsumoto

Nadine Tenn Salle, MD

Deane Salter

Joshua A. Wisch

Date: March 20, 2018

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
House Committee on Consumer Protection & Commerce

From: Justin Murakami, Policy Research Associate
The Sex Abuse Treatment Center
A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony in Strong Support of S.B. 2340 S.D. 2 H.D. 1
Relating to Health Insurance

Good afternoon Chair Takumi, Vice Chair Ichiyama, and members of the House Committee on Consumer Protection & Commerce:

The Sex Abuse Treatment Center (SATC) supports S.B. 2340 S.D. 2 H.D. 1, which ensures that certain elements of the federal Affordable Care Act of 2010 (ACA) are preserved under Hawai'i law.

Sexual violence remains a significant and ongoing health crisis in the United States. According to the Centers for Disease Control and Prevention, approximately 23 million women and 1.9 million men in the United States have been raped in their lifetime. Moreover, 43.9 percent of women and 23.4 percent of men reported experiencing one or more forms of sexual violence in their lifetimes. SATC serves many of these survivors of sexual violence on O'ahu.

The harm caused by sexual violence to a survivor's health and wellbeing can be profound. Physical consequences of sexual violence may include acute injuries, like cuts, tears, broken bones, bruises, and internal bleeding, as well as unwanted pregnancy and long term effects such as chronic pain, gastrointestinal disorders, gynecological complications, migraines and frequent headaches, sexually transmitted infections, and cervical cancer.

Moreover, sexual violence can have both immediate and ongoing psychological consequences for survivors. In the aftermath of the violence, survivors may experience feelings of fear, guilt, shock, disbelief, anger, confusion, helplessness, betrayal, and anxiety. Some further develop chronic or episodic mental health conditions, including substance abuse disorders, sleep disorders, eating disorders, depression, generalized anxiety, and post-traumatic stress disorder.

The consequences of sexual violence reverberate through survivors' families and communities, exacting enormous personal, social, and economic costs.

The changes made by the ACA to the provision of health insurance in Hawai'i were particularly impactful with respect to survivors of sexual violence and their access to medically necessary, cost-effective health care services:

- The ACA disallowed pre-existing condition exclusions. Prior to the ACA, health insurers could deny coverage to survivors of sexual violence for services needed to treat their physical and mental health conditions caused in whole or in part by sexual violence that predated their insurance plan.
- The ACA required that health insurers not discriminate with respect to plan cost based on the gender of covered individuals and extended coverage of dependent adult children to age 26. These mandates align insurance coverage requirements with the CDC's findings that women are disproportionately affected by sexual violence (as noted above), and that, among female victims of rape, an estimated 78.7% were first raped before age 25 years.

Unfortunately, the current presidential administration and majority in congress have repeatedly sought to eliminate the ACA, or render it inoperative. S.B. 2340 S.D. 2 H.D. 1 would mitigate the potentially devastating effects of these federal actions on Hawai'i's survivors of sexual violence by enshrining key requirements of the ACA in state law.

Therefore, we respectfully ask that the Committee pass S.B. 2340 S.D. 2 H.D. 1.

SB-2340-HD-1

Submitted on: 3/19/2018 1:56:30 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

SB-2340-HD-1

Submitted on: 3/19/2018 2:12:48 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Reed Bertollette	Volcano Community Action Network	Support	No

Comments:

Reed Bertollette

PO Box 705

Volcano HI 96785-0705

SB 2340

RELATING TO HEALTH INSURANCE

House Committee on Consumer Protection & Commerce

Roy M. Takumi – Chair

Public Hearing on Tuesday, March 20th, 2018

2:00 PM in House Conference Room 329

By

Reed Bertollette, Member Volcano Community Action Network

Our organization, the Volcano Community Action Network, unanimously agree that the Affordable Care Act is essential for many of the residents of Hawaii. If it is repealed, it is imperative that the state of Hawaii provide the coverage offered by SP 2340.

As state lawmakers, you can help ensure that at least some of the critical aspects of the ACA will continue for the Hawaii state residents. We feel all people deserve good healthcare.

Hawaii has a history of setting the bar for healthcare. Please allow our state to continue to model healthcare for the world by passing SB 2340 and allow young people to stay on their parents insurance policy until the age of 26, and assure people will not be denied coverage for pre-existing conditions.

Thank you for your consideration,

~Reed Bertolette

SB2340 SD2 HD1 - RELATING TO HEALTH INSURANCE
Hawaii Senate Committee on Consumer Protection & Commerce
MARCH 20, 2018 - 2:00PM
CONFERENCE ROOM 329

Dear Chair Takumi and Members of the Committee,

With the cost of living increasing everywhere, losing the critical protections established by the Affordable Care Act would be disastrous for the many women, men, children, and families in Hawai'i. Repealing the ACA protections only shows that the government is not here for the people, it is here to advance profits for insurance companies.

If it were not for ACA, my mother would not have health insurance because the insurance companies deemed her "too risky". She has a pre-existing condition, one which she was forced to fly back to Taiwan to get treated for. It was a brain tumor, one that was deemed inoperable for many years and the sole cause of her many injuries she would sustain due to the seizures.

I was forced to grow up only seeing my mother a couple months a year because she had no insurance here. It was either stay here with her family but face the risk of becoming more ill, or being separated from her children for the sake of her health. Although the trip flying back between Taiwan and Hawai'i were expensive, it was far more cheaper than the possibility of her becoming ill here. It is ridiculous, the idea of forcing a mother to choose between raising her children and risking the chance of bankrupting her family, or being separated and forced to live in a different country. This story is not one that is unique. Though the names change, the illness differ, the situations altered, the main theme still stands. If it were not for ACA, families were forced to break up or endure the financial strain and God forbids if they fall ill.

I am lucky enough to benefit from getting health insurance through my parents, but I too have a pre-existing condition -- asthma and allergies. I, along with almost 6000 others in Hawai'i, face the possibility of becoming uninsured if this bill is not passed. Many of us attend college full-time and work part-time jobs that rarely offer employer insurance. Without the ACA, most young people like me would face the risk of going without insurance, with limited access to affordable health care and at risk of long-term financial distress.

As state lawmakers, it is your duty to protect and ensure a quality life for your constituents. You can uphold this duty that you were blessed with by ensuring the people of Hawai'i that they will continue to receive the benefits from these critical, life-saving protections by passing SB2340 SD2 HD1. No matter what happens at the federal level, SB2340 SD2 HD1 will ensure that ACA's most important requirements at a state level will not change. Please maintain this provision and promote the health and well-being of our young people. Thank you for this opportunity to provide testimony.

Sincerely,
Jennifer Hsu

SB-2340-HD-1

Submitted on: 3/16/2018 9:26:06 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

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

Comments:

SB-2340-HD-1

Submitted on: 3/17/2018 9:50:13 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Arcelita Imasa	Individual	Support	No

Comments:

Please maintain the provision that requires insurers to cover dependent youth under 26, as approximately 6000 young people in Hawaii would go without insurance if the federal government repeals this provision or the ACA in its entirety. This coverage is critical to the health, finances and future of our young people in Hawaii.

Thank you,

Arcelita Imasa

SB-2340-HD-1

Submitted on: 3/17/2018 11:00:44 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kasandra Shriver	Individual	Support	No

Comments:

Aloha and Mahalo for the opportunity to testify in strong support of SB2340.

I am a mother of four children, and have been a resident of Hawaii for over 18 years. My eldest daughter was diagnosed with cancer as a baby - Neuroblastoma. She received very aggressive treatment including an autologous bone marrow transplant to combat this horrible disease. She is 21 now, and while she won the cancer battle, she must still be vigilant in monitoring her health. The treatment left my daughter with many side effects and issues that will require monitoring and treatment for the rest of her life. We need to protect young adults like my daughter, who are successful, beautiful cancer survivors - from discriminatory health insurance practices, and this bill will do that. Please pass this measure and continue what benefits we received via the Affordable Care Act. Healthcare should not go to only those that are wealthy, it should be available to all citizens at an affordable price.

Mahalo for the opportunity to testify.

Kasandra Shriver
Kailua, Hawaii

SB-2340-HD-1

Submitted on: 3/17/2018 10:02:20 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
marjorie erway	Individual	Support	No

Comments:

Since this bill prevents denial of coverage for pre-existing conditions, prohibits insurance from charging women more for coverage simply because of their gender, and allows young people to stay on their parents' plans until age 26. it is vital for the health of our young people, as well as all citizens.

I urge you to support this all the way through to passing it into law.

Mahalo for your consideration.

SB-2340-HD-1

Submitted on: 3/18/2018 6:49:37 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lawrence Ford	Individual	Support	No

Comments:

Protect the health and welfare of all of Hawaii's citizens by advancing SB2340.

SB-2340-HD-1

Submitted on: 3/18/2018 11:04:19 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Deborah G. Nehmad	Individual	Support	Yes

Comments:

[SB 2340](#) keeps in place lifesaving protections that hundreds of thousands of men, women, and families in Hawaii have depended on since the Affordable Care Act went into effect. This bill prevents denial of coverage for pre-existing conditions, prohibits insurance from charging women more for coverage simply because of their gender, and allows young people to stay on their parents' plans until age 26. These provisions are of great importance to me and my family.

I am particularly concerned concerned about this committee removing the provision that covers our young people. Our young people need access to affordable h ealth care too.

Please do the right thing an approve SB2340.

Thank you

Deborah G. Nehmad

SB-2340-HD-1

Submitted on: 3/18/2018 11:25:40 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Individual	Support	No

Comments:

Dear Chair Takumi, Vice-Chair Ichiyama, and Members of the House Committee on Consumer Protection & Commerce,

Thank you for this opportunity to submit a testimony in strong support for S.B. 2340 and for your support of the companion measure H.B. 2126.

I have an inherited cancer syndrome and without healthcare insurance, I won't be able to afford the necessary medical tests to detect and treat various cancers in their early stage which I have been able to do so far. Continuing the benefits of federal Affordable Care Act including the coverage for those with pre-existing condition is critical to me.

As a supporter of Planned Parenthood Votes Northwest and Hawaii and as the ACA is under constant attack by the current administration, I believe it is up to states to ensure that we continue to have the health care that we need. The ACA established important protections for all Americans, and for women in particular. If the ACA were repealed, 55 million women across the country could be discriminated against simply because of their gender. S.B. 2340 would ensure that Hawaii people don't have to worry about losing their care and will continue to benefit from commonsense protections.

Please keep Hawaii healthy by supporting S.B. 2340.

Thank you for taking time to read and take my testimony into consideration.

SB-2340-HD-1

Submitted on: 3/18/2018 12:43:29 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Taurie Kinoshita	Individual	Support	No

Comments:

If the ACA is repealed, people in Hawaii could once again be denied coverage for pre-existing conditions, such as being a survivor of domestic violence, women could be charged more and approximately 6000 young people in Hawaii could lose their insurance. Thank you for your consideration.

SB-2340-HD-1

Submitted on: 3/18/2018 5:11:55 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Onderko	Individual	Support	No

Comments:

SB-2340-HD-1

Submitted on: 3/19/2018 8:23:25 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

Testimony in SUPPORT of SB2340, SD2, HD1
Hawai'i State House Committee on Consumer Protection & Commerce
Tuesday March 20, 2018 | Conference Rm 329, 2pm
Tiffany Peek | tkhampha@hawaii.edu | 95-2047 Waikalani Pl, Mililani, HI, 96789

Dear Chair Takumi, Vice Chair Ichiyama, and Members of the Committee,

My name is Tiffany Peek, and I am currently a student at the Myron B. Thompson School of Social Work at the University of Hawai'i at Manoa and an intern with Planned Parenthood Votes Northwest and Hawai'i. I am writing to you in strong support of S.B.2340, which seeks to codify in Hawaii state law important protections currently required under the federal Affordable Care Act ("ACA").

Before the ACA, young adults had the highest uninsured rates of any age group and the lowest rate of access to employer-based insurance. Many like myself while attending school full-time are only able to work part-time, sometimes at minimum wage. Part-timers are generally not qualified to receive employer insurance, and clearly the money we earn is not nearly enough to afford health insurance on top of food, tuition, and housing, especially in Hawai'i. Without the expansion the ACA had put into place for young people, we would have continued to be placed at a disadvantage as many young adults simply went uninsured and gambled on their health before the ACA went into effect.

The ACA established important protections for women, young adults, and those with pre-existing conditions because it recognized there were policies in place that intentionally excluded them from getting the healthcare they needed. Repealing the ACA means that being a woman would once again be a pre-existing condition, and you can be denied coverage if you have a pre-existing condition. These policies ensure that the right to healthcare reaches as many people as possible, ensuring healthier individuals and thus a healthier community. As state lawmakers, you can help to ensure that people in Hawai'i will continue to benefit from these critical and life-saving protections by passing S.B.2340.

Thank you for this opportunity to provide testimony in support of this important measure, and I urge you to pass S.B.2340.

Sincerely,

Tiffany Peek

TESTIMONY IN SUPPORT OF
H.B. 2340 – RELATING TO HEALTH INSURANCE

Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair
House Committee on Consumer Protection, and Commerce
March 20, 2018, 2:00 p.m., Hawai'i State Capitol, Rm 329

Dear Representative Takumi, Ichiyama, and Members of the Committee:

My name is Miranda Gallegos and I am a social work student at the University of Hawaii at Manoa. I also a member of the on campus organization, Generation Action and intern at Planned Parenthood Votes Northwest and Hawaiian Islands. I would like to thank the Committee for the opportunity to testify in SUPPORT of S.B. 2340. We are all aware that the future of the Affordable Care Act is uncertain. Residents in the state of Hawai'i, in particular already vulnerable populations, those of lower income, women, young adults, and those with a preexisting conditions, should not be deprived access to such an imminent human need. For many, access to healthcare insurance means access to healthcare that can help them enrich their lives and live to their full potential. For some not having the crucial access to insurance coverage is the difference between obtaining a necessary medical service or securing their next meal, a living expense, or doing without and risk worsening health and well-being.

Dismantling the ACA disproportionately affects those of lower income who are dependent on insurance to help cover out of pocket costs and reduce coverage gaps between forms of public assistance. Moreover, if the ACA is completely dismantled millions of adults, young adults, and families would be without insurance. The bill cites the Urban Institute estimated that repealing the act would affect over 29 million people nationwide by the year 2019. In the state where the cost of living is one of the highest in the nation, costs to maintain basic human needs especially one as crucial as health further reveals the vital need to preserve the most important aspects of the act for the residents of Hawai'i. S.B. 2340 would ensure that residents of Hawai'i, such as myself and the many other young women of this state may have insurance coverage free of discrimination based on gender. Additionally, we are able to stay on our parents insurance until 26. We have all heard that the millennials and post-millennials are not expected to supersede their parents generation in socioeconomic class. For the first time in generations, research is finding that children are staying home longer, and once they leave, coming home after failed attempts of trying to live on their own. S.B. 2340 would ensure that Hawaii people don't have to worry about losing their care and will continue to benefit from commonsense protections without furthering the cost and capital burden it takes to establish yourself as an independent, healthy contributing member to society. We can ensure that Hawai'i residents continue to thrive by having access to crucial, nondiscriminatory services to maintain well-being.

Accordingly, I SUPPORT S.B. 2340. I respectfully urge your Committee to PASS this important bill. Thank you for the opportunity to provide testimony.

Sincerely,

Miranda Gallegos

SB-2340-HD-1

Submitted on: 3/19/2018 10:31:16 AM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Franny Brewer	Individual	Support	No

Comments:

I support these measures for our health!

SB-2340-HD-1

Submitted on: 3/19/2018 4:25:13 PM

Testimony for CPC on 3/20/2018 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Support	No

Comments: