

STAND. COM. REP. NO. 560

Honolulu, Hawaii

FEB 15 2019

RE: S.B. No. 1043  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 1043 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health care services, drugs, devices, products, and procedures; and
- (2) Prohibit discrimination in the provision of reproductive health care services.

Your Committee received testimony in support of this measure from Planned Parenthood Votes Northwest and Hawaii, Save Medicaid Hawaii, AAUW of Hawaii, Hawaii Women's Coalition, Hawai'i Section of the American College of Obstetricians and Gynecologists, LGBT Caucus of the Democratic Party of Hawai'i, Midwives Alliance of Hawaii, Healthy Mothers Healthy Babies, Hawaii State Coalition Against Domestic Violence, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, ACLU of Hawaii, and seventy-seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health,



Department of Commerce and Consumer Affairs, Department of the Attorney General, and Hawaii Medical Service Association.

Your Committee finds that the current Presidential Administration and congressional leaders have made it clear that enacting additional restrictions on health care access and undermining consumer protections are one of their top priorities. Most recently, the Administration has sought to enact rules that would allow employers to refuse to provide contraception coverage on the basis of moral and religious reasons. Given these attacks on basic rights and health care, it is more important than ever that access to health care is protected in the State. Numerous studies have shown that public investment in reproductive health and family planning services saves far more in long term health care costs. Data also shows the devastating health consequences that occur when a patient does not have access to these basic services.

This measure ensures that Hawaii residents do not lose access to no-copay preventive services such as birth control, well-women exams, and lifesaving cancer screenings. This measure also ensures that all people in Hawaii, regardless of gender, gender identity, or sexual orientation, receive equal access to comprehensive sexual and reproductive health care, without discrimination. Hawaii must continue its leadership in promoting all peoples' access to the health care they deserve, no matter what happens at the federal level.

Your Committee further notes that the covered health care services in this measure are not new mandates, but represent updates to current mandates to include best practice treatments and advancing technologies.

Your Committee has amended this measure by:

- (1) Clarifying that the required preventive care coverage proposed by this measure includes screening and appropriate counseling or interventions for:
  - (A) Substance abuse, including tobacco and electronic smoking devices, and alcohol; and



- (B) Mental health screening and counseling, including depression;
- (2) Requiring a bill or statement for services from any health care provider or health insurer, mutual benefit society, or health maintenance organization to be sent directly to the person receiving the services; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1043, S.D. 1, and be referred to your Committee on Judiciary.

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

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

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

Bill / Resolution No.:* <b>SB 1043</b>	Committee Referral: <b>CPH, JDC</b>	Date: <b>2/13/19</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOOLE, Jarrett				✓
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes