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**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Judiciary
Tuesday, February 22, 2019
9:00 a.m.
State Capitol, Conference Room 016**

**On the following measure:
S.B. 1043, S.D. 1, RELATING TO HEALTH CARE**

WRITTEN TESTIMONY ONLY

Chair Rhoads and Members of the Committee:

My name is Colin Hayashida, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department appreciates the intent of this bill and offers comments.

The purpose of this bill is to require health insurers to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures and to prohibit discrimination in the provision of reproductive health care services.

The Department respectfully requests deleting proposed amendments to Hawaii Revised Statutes (HRS) section 431:10A-116.6 at p. 25, lines 7 to 12, as these amendments may unintentionally narrow the scope of HRS section 431:10A-116.6 and conflicts with HRS article 10A.

One of the coverages is “[w]ell-woman care, as prescribed by the commissioner by rule consistent with guidelines published by the federal Health Resources and Services Administration[.]” The Division lacks expertise in this area and is not the appropriate entity to effectively prescribe well-woman care benefits.

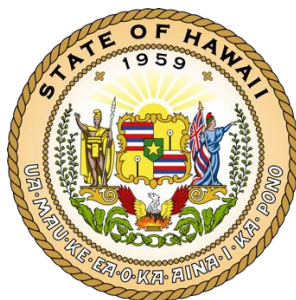
Another coverage is “[a]ny additional preventive services for women that must be covered without cost sharing under title 42 United States Code [U.S.C.] section 300gg-13, as identified by the federal Preventive Services Task Force or the Health Resources and Services Administration of the federal Department of Health and Human Services, as of January 1, 2017.” 42 U.S.C. section 300gg-13 does not provide a detailed list of services and instead references guidelines and recommendations issued by agencies. Interpreting these guidelines and recommendations would raise enforcement difficulties.

Additionally, this bill amends the definition of “contraceptive supplies” by adding the phrase “regardless of whether they are to be used by the insured or the partner of the insured, and regardless of whether they are to be used for contraception or exclusively for the prevention of sexually transmitted infections.” This amendment seemingly mandates coverage for drugs, devices, or products that are **not** intended for use by the insured, as well as drugs, devices, or products that are intended only for infection prevention, and **not** for contraception. Accordingly, this amendment may be viewed as a new mandate. This bill also sets forth coverage for multiple services on: page 3, line 3 to page 6, line 4; page 10, line 10 to page 13, line 11; and page 17, line 16 to page 20, line 9. These coverages may be viewed as new mandates.

The addition of new mandated coverage may trigger section 1311(d)(3) of the federal Patient Protection and Affordable Care Act (PPACA), which requires states to defray the additional cost of any benefits in excess of the essential health benefits of the State’s qualified health plan under the PPACA.

Additionally, any proposed mandate providing coverage for care requires the passage of a concurrent resolution requesting the State Auditor to prepare and submit a report assessing the social and financial impacts of the proposed mandate, pursuant to HRS section 23-51.

Thank you for the opportunity to testify on this bill.



Testimony on behalf of the
Hawai'i State Commission on the Status of Women
Khara Jabola-Carolus, Executive Director

Prepared for the Senate Committee on Ways and Means

In Support of SB1043 SD1
Thursday, February 21, 2019, at 10:00 a.m. in Room 211

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Honorable Members,

The Hawai'i State Commission on the Status of Women supports SB1043 SD1, which would codify the Affordable Care Act's (ACA) preventive service coverage requirements into state law.

Republicans have opposed the ACA since its passage in 2010 and have repeatedly tried to repeal it. In light of this and broader political threats, the future of women's health has never been so uncertain. This measure is a necessary step to ensure that women and LGBTQ individuals in Hawai'i do not lose access to no-copay preventive services such as birth control, breastfeeding support and supplies, domestic and interpersonal violence screenings, gestational diabetes screening, well-woman exams, and life-saving cancer screenings.

SB1043 SD1 would also expand these coverage requirements by requiring coverage of the full range of sexual and reproductive health care services, including abortion and treatment to avoid HIV. Further, the measure would ensure that all people in Hawai'i can live more self-determined lives by guaranteeing access to these important services, regardless of gender, gender identity, or sexual orientation. Accordingly, the Commission requests that the Committee pass SB1043 SD1.

Sincerely,

Khara Jabola-Carolus

SB-1043-SD-1

Submitted on: 2/17/2019 4:55:44 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Testifying for AAUW of Hawaii	Support	No

Comments:

Dear Chair Rhoads, Vice-Chair Wakai, and members of Committee on Judiciary,

AAUW of Hawaii strongly supports SB1043 SD1 which requires insurers to cover a number of sexual and reproductive health services including abortion, screening and appropriate counseling or intervention for substance abuse and mental health including depression.

Recently, the federal administration has sought to enact rules that would allow employers to refuse to provide contraception coverage on the basis of moral or religious reasons. Although a federal court has issued a nationwide injunction preventing these rules from going into effect, the rules are still a threat. The federal administration has also proposed rules that would make it extremely difficult for insurers to cover abortion. Given these federal attacks on basic rights and health care, it is more important than ever for Hawaii to ensure that nobody loses access to the health care they depend on.

Please pass this important bill so Hawaii can continue its leadership in health care. Thank you for the opportunity to submit this testimony.

The American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu) and includes just over 450 active members with over 1700 supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

To: Hawaii State Senate Committee on Judiciary
Hearing Date: Friday, February 22, 2019 at 9:00 a.m.
Re: Testimony of Save Medicaid Hawaii in strong support of S.B. 1043, SD 1 relating to Health Insurance

Dear Chair Rhoads, Vice Chair Wakai and Members of the Committee,

Save Medicaid Hawaii writes in strong support of S.B. 1043, SD 1 which seeks to protect and expand access to critical sexual and reproductive health care for people in Hawaii.

The current administration continues to pursue restrictions on health care access and undermine consumer protections. Having been largely thwarted in Congress they have turned to federal rule making. Most recently, **the federal administration has sought to enact rules that would allow employers to refuse to provide contraception coverage on the basis of moral or religious reasons.** Although a federal court has issued a nationwide injunction preventing these rules from going into effect, the rules are still a threat as it is highly likely that the decision will be appealed to the Supreme Court. The federal administration has also proposed rules that would make it extremely difficult for insurers to cover abortion. Without S.B. 1043, insurers will most certainly consider dropping or limiting coverage these essential reproductive health services.

Given these federal attacks on basic rights and health care, it is more important than ever that our state legislature act to ensure that nobody loses access to the health care and protections they depend on. S.B. 1043 will do just that. This legislation would codify the Affordable Care Act's preventive service coverage requirements in state law, ensuring that people in Hawaii don't lose their access to no-copay preventive services such as birth control, well-woman exams, and life-saving cancer screenings. It would also strengthen and expand these coverage requirements by requiring coverage of the full range of sexual and reproductive health care services, including abortion and treatment to avoid HIV. And it would make sure that all people in Hawaii can access these important services, regardless of gender, gender identity, or sexual orientation.

Access to comprehensive sexual and reproductive health care, without discrimination, is critical for the health and economic security of people in Hawaii. This bill will give more people in Hawaii the ability to decide if and when they have children based on what's best for them and their family's circumstances. Hawaii must continue its leadership in promoting all peoples' ability to access the health care they need and deserve, no matter what happens at the federal level. Please give Hawaii families access to the health care they need to thrive by supporting S.B. 1043, SD 1. Thank you for this opportunity to testify in support of this important legislation.

Sincerely,

Doris Segal Matsunaga

On behalf of Save Medicaid Hawaii

Save Medicaid Hawaii, a network of people advocating for NO CUTS in Medicaid and working towards a stronger health care system in Hawaii that provides high quality universal health care for all.. <https://www.facebook.com/SaveMedicaidHawaii/>



**Testimony to the Senate Committee on Judiciary
Friday, February 22, 2019; 9:00 a.m.
State Capitol, Conference Room 016**

RE: COMMENTING ON SENATE BILL NO. 1043, SENATE DRAFT 1, RELATING TO HEALTH CARE

Chair Rhoads, Vice Chair Wakai, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **COMMENTS** on Senate Bill No. 1043, Senate Draft 1, RELATING TO HEALTH CARE.

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

To date, our Board of Directors continues to analyze this bill with the hope of reaching consensus on an official position. In the meanwhile, we would like to share our perspectives on SECTION 11 of this bill.

SECTION 11 would establish a new section to the Department of Human Services' (DHS) statutes (Chapter 346, Hawaii Revised Statutes (HRS)) that would prohibit the exclusion from participation in, denial of benefits of, or otherwise subject an individual on the basis of a disability the services, drugs, devices, products, or procedures covered by the Insurance Code for reproductive health care. Persons violating this statute would be considered in violation of Chapter 481, HRS, (Unfair Practices Act), as well as possibly be subjected to a cause of action under State or federal law.

As a recipient of federal funding, FQHCs are prohibited from providing abortion services to patients. FQHCs, are also contracted with DHS for reimbursement under the Hawaii Medicaid Program and as such must follow the statutes, rules, and policies of DHS.

Presently, the following are unclear to us:

- (1) If a physician at an FQHC refuses to perform an abortion at an FQHC facility in accordance with federal mandate, would the physician be in violation of SECTION 11?
- (2) If a physician at an FQHC refers a patient to another health care professional to perform an abortion, would that be considered a denial of service in violation of SECTION 11?
- (3) If yes is answered for either question (1) or (2) above, would the Federal Tort Claim Act, which provides immunity for physicians and personnel conducting services at an FQHC, apply to a cause of action that originates in State court pursuant to SECTION 11?

While we agree with the underlying premise that mandatory reproductive health coverage will improve the health care outcomes of our citizenry, we also believe that possible conflicts in federal and State policy can have catastrophic consequences for health care professionals who must follow the mandates from both.

We will continue to research these issues and monitor this bill as it proceeds through the legislative process.

In advance, thank you for your consideration of our testimony.

SB-1043-SD-1

Submitted on: 2/19/2019 4:05:50 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Truong	Testifying for Planned Parenthood	Support	No

Comments:

I am in strong support of SB 1043.

Access to sexual and reproductive health care is critical for the health and economic security of people in Hawaii. That's why everyone in Hawaii, regardless of income, gender identity, or insurance carrier, needs access to the full range of sexual and reproductive health care services. And with increasing attacks on the health care access and rights of women and LGBTQ people, it is more important than ever to pass state protections to ensure that everybody in Hawaii has access to the care they need, no matter what happens at the federal level - ESPECIALLY what happens at the Federal level.

All people in Hawaii need and deserve access to the full range of sexual and reproductive health care so that they can keep themselves and their families healthy.

Restrictions on sexual and reproductive health care can have profoundly harmful effects on public health, particularly for those who already face significant barriers to receiving high-quality care, such as people with low incomes, people of color, survivors of domestic violence, and transgender and gender-nonconforming people. Do the right thing. Thank you.



February 19, 2019

Senate's Committee on Judiciary
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, HI 96813

Hearing: Friday, February 22, 2019 – 9:00 a.m.

RE: **STRONG SUPPORT Senate Bill 1043 SD1** – RELATING TO HEALTH CARE

Aloha Chair Rhoads, Vice Chair Wakai and fellow committee members,

I am writing in SUPPORT Senate Bill 1043 SD 1 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i. SB 1043 SD 1 would require health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures. Prohibits discrimination in the provision of reproductive health care services.

SB 1043 is necessary to ensure that the only people making health care decisions are the patient, in consultation with their doctor. This bill will ensure that health insurers, mutual benefit societies, and health maintenance organizations are not making health care decisions.

The LGBT Caucus is glad to see that SB 1043 SD 1 also includes coverage for pre-exposure prophylaxis (PrEP). PrEP prevents the spread of HIV especially if used in combination with condoms. New HIV cases are on the rise and we need to ensure that PrEP is covered by everyone's health insurance. The upfront cost of PrEP is 1,000 times cheaper than treating HIV or AIDS.

Mahalo for the opportunity to testify and the LGBT Caucus of the Democratic Party of Hawai'i asks that you support SB 1043 SD 1.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair

SB-1043-SD-1

Submitted on: 2/19/2019 7:33:55 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alani Tyrol Bagcal	Testifying for Planned Parenthood of the Great Northwest and Hawaiian Islands	Support	No

Comments:

Access to sexual and reproductive healthcare is a human right and is critical for the health and economic security of people in Hawai'i. Everyone in Hawai'i, regardless of race, gender, income and insurance carrier needs access to the full range of sexual and reproductive health care services. And with the increasing attacks on the health care access and rights for women and the LGBTQ community, it is vital to pass state protections to ensure that everybody in Hawai'i has access to the care they need, regardless of what happens at the federal level. This bill will give more people in Hawai'i the ability to decide if and when they have children based on what's best for them and their family's circumstances and access to the full range of sexual and reproductive services that make economic sense for Hawaii families. With my greatest consideration for the betterment of Hawai'i healthcare, I urge lawmakers to pass SB 1043.



February 19, 2019

Senator Rhoads, Chair
Senator Wakai, Vice Chair

Members of the Senate Committee on Judiciary
Thirtieth Legislature
Regular Session 2019

Hearing Date: February 22, 2019

RE: SUPPORT for Senate Bill 1043 (SD1) – Related to Health Insurance; contraceptive coverage

Dear Chair Rhoads, Vice-Chair Wakai and members of the Committee on Judiciary:

On behalf of Bayer US (“Bayer”), I write to respectfully submit testimony in SUPPORT of Senate Bill 1043. As a global leader in women’s healthcare – and the premier manufacturer of both short-term and long-term birth control products – Bayer strongly supports efforts to ensure that women have access to all forms of FDA approved contraception. As such, Bayer strongly supports the provisions of SB 1043 which would enshrine the Affordable Care Act (ACA) contraceptive mandate into state law and ensure that women in Hawaii continue to have access to the birth control method that best meets their individual needs.

Since the passage of the Affordable Care Act (ACA), most health insurance plans are required to cover all FDA approved birth control methods with no co-pay. As a result, determinations regarding the best contraceptive choices are left to patients and their doctors and are not influenced by co-pays or other medical management techniques that have the potential to steer women towards less effective methods of contraception. Prior to the ACA contraceptive mandate, only 42% of women had access to a hormonal intrauterine device (IUD) – which the American College of Obstetricians and Gynecologists (ACOG) classifies as the most effective form of reversible contraceptive – without a co-pay. After the ACA was implemented, the percentage of women with zero co-pay access to IUDs has increased to almost 90 percent. Not surprisingly, improved access to more effective contraception has coincided with a continued drop in the rate of teenage pregnancy, unintended pregnancy, and abortion in the United States.

Despite this progress, legislative and regulatory efforts to weaken the ACA at the federal level threaten the continuation of the contraceptive mandate. To ensure that women continue to have affordable access to the contraceptive method that works best for them, several states – including California, Illinois, Nevada, Washington, and Oregon – have already adopted state legislation that codifies the ACA’s contraceptive mandate. Multiple other states are considering similar legislation this year. By passing SB 1043, the Legislature will ensure that Hawaii maintains its leadership role in ensuring access to vital preventative services and continues its progress towards reducing the rate of unintended pregnancies and the associated costs to the State’s Medicaid program.

It is important to note that SB 1043 would not favor one birth control method over another and would not prohibit the substitution for a generic or lower cost branded product in cases where an FDA approved therapeutic equivalent to the prescribed product is available. As such, the bill ensures that women have access to the birth control method that best meets their needs, while still allowing health plans to manage costs by covering a lower cost option when appropriate.

For these reasons, Bayer supports SB 1043.

Bayer is one of the world's leading, innovative, life science companies. Bayer's aim is to discover, develop, manufacture, and market products that will improve human, plant, and animal health worldwide. Headquartered in Leverkusen, Germany Bayer is proud to employ over 20,000 U.S employees.

Please do not hesitate to contact me if you have any questions regarding Bayer's position.

Sincerely,



Craig M. Swaim
Deputy Director, State Government Affairs
West Region

Testimony of
John M. Kirimitsu
Legal and Government Relations Consultant

Before:
Senate Committee on Judiciary
The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair

February 22, 2019
9:00 am
Conference Room 016

SB 1043, SD1 Relating to Health Care

Chair, Vice Chairs, and committee members, thank you for this opportunity to provide testimony on this measure mandating coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures.

Kaiser Permanente Hawaii would like to offer comments.

Kaiser is concerned that this bill attempts to mandate new coverage beyond the ACA, and therefore, an impact assessment report is statutorily required under Sections 23-51 and 23-52 of the Hawaii Revised Statutes. Furthermore, any addition of a new mandated coverage may trigger section 1311(d)(3) of the federal Patient Protection and Affordable Care Act, which would require the State to defray the cost.

Additionally, Kaiser is concerned with the latest amendment requiring “A bill or statement for services from any health care provider or insurer shall be sent directly to the person receiving the services.”

Currently, the subscriber, employer or guarantor is the only entity that receives health plan information, including billing and EOB statements. These are the same entities responsible/eligible for enrollment and dues payment. Therefore, this amendment would impact insurer’s current workflow by requiring information for services to be now sent to the patient, even when the health plan may not be aware that such information has been deemed confidential.

However, the federal privacy rule (HIPAA) already gives a patient the right to request confidential services, i.e., by making an appointment confidential, and request that billing be sent to whatever address desired. See HIPAA §164.522(b)(1). Therefore, if a patient wants information to be kept confidential, he is already afforded that confidential protection under the federal privacy rule. Therefore, there is no need for this duplicative requirement which will also have the unintended consequence of disrupting insurer’s current business practice.

Thank you for your consideration.

To: Hawaii State Senate Committee on Judiciary
Hearing Date/Time: Fri., Feb. 22, 2019, 9:00 a.m.
Place: Hawaii State Capitol, Rm. 016
Re: Testimony of Planned Parenthood Votes Northwest and Hawaii in strong support of S.B. 1043, SD1, relating to Health Insurance

Dear Chair Rhoads and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii (“PPVNH”) writes in strong support of S.B. 1043, SD1, which seeks to protect and expand access to critical sexual and reproductive health care for people in Hawaii.

Congressional leaders and the current administration have made it clear that enacting additional restrictions on health care access and undermining consumer protections are their top priorities. And they have targeted the rights of women and LGBTQ people with attacks on non-discrimination protections and access to abortion and birth control. Most recently, the federal administration has sought to enact rules that would allow employers to refuse to provide contraception coverage on the basis of moral or religious reasons. Although a federal court has issued a nationwide injunction preventing these rules from going into effect, the rules are still a threat as it is highly likely that the decision will be appealed to the Supreme Court. The federal administration has also proposed rules that would make it extremely difficult for insurers to cover abortion. Without S.B. 1043, insurers will most certainly consider doing so.

Given these federal attacks on basic rights and health care, it is more important than ever that our state legislature act to ensure that nobody loses access to the health care and protections they depend on. S.B. 1043 will do just that. This legislation would codify the Affordable Care Act’s preventive service coverage requirements in state law, ensuring that people in Hawaii don’t lose their access to no-copay preventive services such as birth control, well-woman exams, and life-saving cancer screenings. It would also strengthen and expand these coverage requirements by requiring coverage of the full range of sexual and reproductive health care services, including abortion and treatment to avoid HIV. And it would make sure that all people in Hawaii can access these important services, regardless of gender, gender identity, or sexual orientation.

Access to comprehensive sexual and reproductive health care, without discrimination, is critical for the health and economic security of people in Hawaii. This bill will give more people in Hawaii the ability to decide if and when they have children based on what’s best for them and their family’s circumstances. Hawaii must continue its leadership in promoting all peoples’ ability to access the health care they need and deserve, no matter what happens at the federal level. Please give Hawaii families access to the health care they need to thrive by supporting S.B. 1043. Thank you for this opportunity to testify in support of this important legislation.

Sincerely,

Laurie Field
Hawaii State Director

SB-1043-SD-1

Submitted on: 2/21/2019 8:17:50 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



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

TO: Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

DATE: Friday, Feb 22, 2019

PLACE: Hawaii State Capitol, Conference Room 016

FROM: Hawai'i Section, ACOG
Dr. Chrystie Fujimoto, MD, FACOG, Chair
Dr. Reni Soon, MD, MPH, FACOG, Vice Chair
Lauren Zirbel, Community and Government Relations
Dr. Danielle Ogez, MD, MPP, Junior Fellow Chair

Re: SB 1043_SD1 - Relating to Health Care

Position: STRONG SUPPORT

As a section of the Nation's leading group of physicians dedicated to improving health care for women, the Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) represents more than 200 obstetrician-gynecologist physicians in our state. HI ACOG **strongly supports SB 1043_SD1** as it aims to protect access to comprehensive sexual and reproductive health care services in Hawai'i.

Hawai'i has a legacy of progressive action and legislation regarding reproductive rights, family planning, and access to basic health care services. However, as the current national political climate aims to restrict access to reproductive health services, it is imperative that Hawai'i enact this new legislation in order to protect these fundamental services for future generations.

As women's health care providers, we see on a daily basis how women in our state depend on access to a wide spectrum of reproductive health care services, including screening and treatment for sexually transmitted infections; cervical cancer screening and treatment; contraceptive counseling; affordable contraceptive supplies and prescriptions; abortion and miscarriage management; and comprehensive well-woman and postpartum care. Every patient we have the privilege to care for has needed one of more of these services during the course of her life, and having access to these medications, services, and procedures without prohibitive costs allows that patient to receive timely, evidence-based health care. We also see the devastating health consequences that occur when a patient does not have access to these basic services. It is not infrequent that a simple treatable disease such as an abnormal pap smear progresses to late stage metastatic cancer due to lack of access to basic health care services. By supporting legislation that promotes access to basic health care services, patients can more easily navigate through difficult health conditions, and more quickly return to their lives, to their families, and to contributing to our community. Furthermore, numerous studies have shown that public investment in reproductive health and family planning services saves far more in long term health care costs.

This legislation would also ensure that all people in Hawai'i can access these critical services regardless of gender or sexual orientation. Let's continue to be one of this nation's leaders in ensuring reproductive health care access for all. HI ACOG **strongly supports SB 1043_SD1** and urges you to do the same. Thank you for the opportunity to testify.



February 21, 2019

The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Senate Committee on Judiciary

Re: SB 1043, SD1 – Relating to Health Care

Dear Chair Rhoads, Vice Chair Wakai, and Committee Members:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 1043, SD1 which requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures. Prohibits discrimination in the provision of reproductive health care services.

HMSA appreciates the intent of this measure, to preserve certain aspects 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. HMSA has always worked to ensure it provides reproductive benefits to its members.

However, we have serious concerns on this measure as it appears to add coverage beyond the Affordable Care Act, and will result in increased costs to the healthcare system. The requirement of "no-copay's" on all services in this bill goes against cost sharing that is routinely applied to other medical conditions. We also have concerns on the section of the bill that mandates payment to out of network providers.

We ask that should this bill move forward it should be subject to an impact assessment report by the Auditor pursuant to Sections 23-51 and 23-52 of the Hawaii Revised Statutes.

Thank you for allowing us to provide these comments on SB 1043, SD1.

Sincerely,

Pono Chong
Vice President, Government Relations

SB-1043-SD-1

Submitted on: 2/21/2019 7:45:05 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Joseph Kohn MD	Testifying for We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support

www.WeAreOne.cc

LATE

SB-1043-SD-1

Submitted on: 2/21/2019 9:34:16 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mandy Fernandes	Testifying for ACLU of Hawaii	Support	No

Comments:

SB-1043-SD-1

Submitted on: 2/21/2019 11:18:18 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

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

Comments:



Aloha Chair Rhoads, Vice Chair Wakai and members,

We are in strong support of this measure the would protect coverage that should be extended to women as part of our basic health care. With the assault on the Affordable Care Act at the national level, the impending onslaught of conservative judges packing our courts, and the rash of red state restrictions on women's reproductive rights we need to make sure that we draw a line in sand: NOT IN OUR STATE.

Mahalo,

Ann S. Freed, Co-Chair Hawaii Women's Coalition

SB-1043-SD-1

Submitted on: 2/16/2019 7:14:11 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Oppose	No

Comments:

"...in order to safeguard access to abortion"? **Thou shalt not kill** is the Law and we all need to abide by it; abortion is NOT "a choice" - it's infanticide, human sacrifice, murder, a mortal sin and needs to be called what it is - and we shouldn't be encouraging or sugarcoating it under the guise of "health care". Isaiah 30: 1 - "Woe to the rebellious children" declares the Lord, "Who execute a plan, but not Mine, and make an alliance, but not of My Spirit, in order to add sin to sin".

SB-1043-SD-1

Submitted on: 2/19/2019 5:28:18 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Support	No

Comments:

SB-1043-SD-1

Submitted on: 2/19/2019 5:29:46 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Support	No

Comments:

SB-1043-SD-1

Submitted on: 2/19/2019 7:25:35 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

Strongly Support

To: Hawaii State Senate Committee on Judiciary
Hearing Date/Time: Friday, February 22, 2019 at 9:00 a.m.
Place: Hawaii State Capitol, Room 016
Re: Testimony of Save Medicaid Hawaii in strong support of S.B. 1043, SD 1 relating to Health Insurance

Dear Chair Rhoads, Vice Chair Wakai and Members of the Committee,

I am writing in **strong support** of SB1043, SD 1 which seeks to protect and expand access to critical sexual and reproductive health care for people in Hawaii.

The current federal administration continues to pursue restrictions on health care access and to undermine consumer protections. Having been largely thwarted in Congress they have turned to federal rule making. Most recently, the **federal administration has sought to enact rules that would allow employers to refuse to provide contraception coverage on the basis of moral or religious reasons**. Although a federal court has issued a nationwide injunction preventing these rules from going into effect, the rules are still a threat as it is highly likely that the decision will be appealed to the Supreme Court. The federal administration has also proposed rules that would make it extremely difficult for insurers to cover abortion. Without SB1043, insurers will most certainly consider dropping or limiting coverage these essential reproductive health services.

Given these federal attacks on basic rights and health care, it is more important than ever that our state legislature act to ensure that nobody loses access to the health care and protections they depend on. SB1043 will do just that. This legislation would codify the Affordable Care Act's preventive service coverage requirements in state law, ensuring that people in Hawaii don't lose their access to no-copay preventive services such as birth control, well-woman exams, and life-saving cancer screenings. It would also strengthen and expand these coverage requirements by requiring coverage of the full range of sexual and reproductive health care services, including abortion and treatment to avoid HIV. And it would make sure that all people in Hawaii can access these important services, regardless of gender, gender identity, or sexual orientation.

Access to comprehensive sexual and reproductive health care, without discrimination, is critical for the health and economic security of people in Hawaii. This bill will give more people in Hawaii the ability to decide if or when they have children based on what's best for them and their family's circumstances. Hawaii must continue its leadership in promoting all peoples' ability to access the health care they need and deserve, no matter what happens at the federal level. Please give Hawaii families access to the health care they need to thrive by supporting SB1043, SD 1.

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

Sincerely,
Judith Ann Armstrong
1717 Ala Wai Blvd
Apt 3006
Honolulu, HI 96815

SB-1043-SD-1

Submitted on: 2/19/2019 4:44:11 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Loudermelt	Individual	Support	No

Comments:

SB-1043-SD-1

Submitted on: 2/20/2019 7:31:16 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Bilyk	Individual	Support	Yes

Comments:

SB-1043-SD-1

Submitted on: 2/20/2019 10:11:40 PM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maisa Thayer	Individual	Support	No

Comments:

Dear Chair Rhoads and Members of the Committee,

As a third generation kama'aina from Kaneohe HI, I am in strong support of S.B. 1043, SD1, which seeks to protect and expand access to critical sexual and reproductive health care for people in Hawaii.

I am worried about the current federal administration which has targeted the rights of women and LGBTQ people with attacks on non-discrimination protections and access to abortion and birth control. The federal administration has proposed rules that would make it extremely difficult for insurers to cover abortion. Without S.B. 1043, insurers will most certainly consider doing so.

Our state needs to respond strongly by asserting our values of aloha and ohana. S.B. 1043 will do just that. This legislation would codify the Affordable Care Act's preventive service coverage requirements in state law, ensuring that people in Hawaii don't lose their access to no-copay preventive services such as birth control, well-woman exams, and life-saving cancer screenings. We need to make sure that all people in Hawaii can access these important services, regardless of gender, gender identity, or sexual orientation.

Access to comprehensive sexual and reproductive health care, without discrimination, is critical for the health and economic security of people in Hawaii.

Mahalo,

Maisa Thayer

SB-1043-SD-1

Submitted on: 2/21/2019 8:59:56 AM

Testimony for JDC on 2/22/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauren Finley-Jacob	Individual	Support	No

Comments:

Chair Rhoads and Members of this Committee,

I would like to submit testimony in SUPPORT of this SB1043 SD1. The types of preventive health care covered by insurers could always be expanded, especially when it comes to something so important as reproductive health. With the federal administration disrupting health care services through administrative rules aimed to dismantle reproductive health care, we should be doing what we can as a state to expand our own services at no cost to our people. A cancer screening should always be free as well as the other services listed here.

Thank you,

Lauren Finley-Jacob