

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO HEALTH INSURANCE.

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

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

4           "§431:10A-A Coverage for auto-injectable epinephrine;  
5 minors. (a) Each policy of individual accident and health or  
6 sickness issued or renewed in this State after December 31,  
7 2020, shall provide coverage for the cost of medically necessary  
8 auto-injectable epinephrine for individuals covered under the  
9 policy who are eighteen years of age or younger.

10           (b) Coverage required under this section may be subject to  
11 deductibles, copayments, coinsurance, or annual or maximum  
12 payment limits that are consistent with deductibles, copayments,  
13 coinsurance, and annual or maximum payment limits applicable to  
14 other similar coverage under the policy.

15           (c) Every insurer shall provide notice to its  
16 policyholders regarding the coverage required by this section.  
17 The notice shall be in writing and prominently positioned in any



1 literature or correspondence sent to policyholders and shall be  
2 transmitted to policyholders within calendar year 2020 when  
3 annual information is made available to policyholders, or in any  
4 other mailing to policyholders, but in no case later than  
5 December 31, 2020.

6 (d) This section shall not apply to limited health benefit  
7 insurance as provided in section 431:10A-607."

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

11 "§431:10A-B Coverage for auto-injectable epinephrine;  
12 minors. (a) Each policy of group accident and health or  
13 sickness issued or renewed in this State after December 31,  
14 2020, shall provide coverage for the cost of medically necessary  
15 auto-injectable epinephrine for individuals covered under the  
16 policy who are eighteen years of age or younger.

17 (b) Coverage required under this section may be subject to  
18 deductibles, copayments, coinsurance, or annual or maximum  
19 payment limits that are consistent with deductibles, copayments,  
20 coinsurance, and annual or maximum payment limits applicable to  
21 other similar coverage under the policy.



1        (c) Every insurer shall provide notice to its  
2 policyholders regarding the coverage required by this section.  
3 The notice shall be in writing and prominently positioned in any  
4 literature or correspondence sent to policyholders and shall be  
5 transmitted to policyholders within calendar year 2020 when  
6 annual information is made available to policyholders, or in any  
7 other mailing to policyholders, but in no case later than  
8 December 31, 2020.

9        (d) This section shall not apply to limited health benefit  
10 insurance as provided in section 431:10A-607."

11        SECTION 3. Chapter 432, Hawaii Revised Statutes, is  
12 amended by adding a new section to article I to be appropriately  
13 designated and to read as follows:

14        "§432:1- Coverage for auto-injectable epinephrine;  
15 minors. (a) Each individual and group hospital or medical  
16 service plan contract issued or renewed in this State after  
17 December 31, 2020, shall provide coverage for the cost of  
18 medically necessary auto-injectable epinephrine for individuals  
19 covered under the individual and group hospital or medical  
20 service plan contract who are eighteen years of age or younger.



1        (b) Coverage required under this section may be subject  
 2 to deductibles, copayments, coinsurance, or annual or maximum  
 3 payment limits that are consistent with deductibles, copayments,  
 4 coinsurance, and annual or maximum payment limits applicable to  
 5 other similar coverage under the individual and group hospital  
 6 or medical service plan contract.

7        (c) Every mutual benefit society shall provide notice to  
 8 its members regarding the coverage required by this section.  
 9 The notice shall be in writing and prominently positioned in any  
 10 literature or correspondence sent to members and shall be  
 11 transmitted to members within calendar year 2020 when annual  
 12 information is made available to members, or in any other  
 13 mailing to members, but in no case later than December 31,  
 14 2020."

15        SECTION 4. Section 432D-23, Hawaii Revised Statutes, is  
 16 amended to read as follows:

17        **"§432D-23 Required provisions and benefits.**  
 18 Notwithstanding any provision of law to the contrary, each  
 19 policy, contract, plan, or agreement issued in the State after  
 20 January 1, 1995, by health maintenance organizations pursuant to  
 21 this chapter, shall include benefits provided in sections



1 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-  
 2 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,  
 3 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,  
 4 431:10A-133, 431:10A-134, 431:10A-140, [~~and 431:10A-134,~~]  
 5 431:10A-A, and 431:10A-B, and chapter 431M."

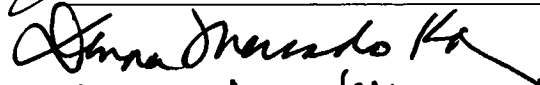
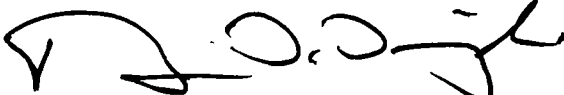
6 SECTION 5. The benefit to be provided by health  
 7 maintenance organizations corresponding to the benefit provided  
 8 under sections 431:10A-A and 431:10A-B, Hawaii Revised Statutes,  
 9 as contained in the amendment to section 432D-23, Hawaii Revised  
 10 Statutes, in section 4 of this Act, shall take effect for all  
 11 policies, contracts, plans, or agreements issued in the State  
 12 after December 31, 2020.

13 SECTION 6. In codifying the new sections added by sections  
 14 1 and 2 of this Act, the revisor of statutes shall substitute  
 15 appropriate section numbers for the letters used in designating  
 16 the new sections in this Act.

17 SECTION 7. Statutory material to be repealed is bracketed  
 18 and stricken. New statutory material is underscored.

19 SECTION 8. This Act shall take effect upon its approval.

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S.B. NO. 2439

Randy L. Bell

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# S.B. NO. 2439

**Report Title:**

Health Insurance; Coverage; Auto-Injectable Epinephrine; Minors

**Description:**

Requires insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine for insured persons eighteen years of age or younger, beginning 1/1/2021.

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

