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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 individual policy of accident and health or  
6 sickness insurance issued or renewed in this State after  
7 December 31, 2020, shall provide coverage for the cost of  
8 medically necessary auto-injectable epinephrine, based on  
9 appropriate weight-based dosage, for individuals covered under  
10 the policy who are eighteen years of age or younger.

11           (b) Coverage required under this section may be subject to  
12 deductible, copayment, coinsurance, or annual or maximum benefit  
13 provisions of the policy that are consistent with deductible,  
14 copayment, coinsurance, or annual or maximum benefit provisions  
15 applicable to other similar coverage under the policy.

16           (c) Every insurer shall provide notice to its  
17 policyholders regarding the coverage required by this section.



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

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

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

12 **"§431:10A-B Coverage for auto-injectable epinephrine;**

13 **minors.** (a) Each group policy of accident and health or  
14 sickness insurance issued or renewed in this State after  
15 December 31, 2020, shall provide coverage for the cost of  
16 medically necessary auto-injectable epinephrine, based on  
17 appropriate weight-based dosage, for individuals covered under  
18 the policy who are eighteen years of age or younger.

19 (b) Coverage required under this section may be subject to  
20 deductible, copayment, coinsurance, or annual or maximum benefit  
21 provisions of the policy that are consistent with deductible,



1 copayment, coinsurance, or annual or maximum benefit provisions  
2 applicable to other similar coverage under the policy.

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

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

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

16 "§432:1- Coverage for auto-injectable epinephrine;  
17 minors. (a) Each individual or group hospital or medical  
18 service plan contract issued or renewed in this State after  
19 December 31, 2020, shall provide coverage for the cost of  
20 medically necessary auto-injectable epinephrine, based on



1 appropriate weight-based dosage, for individuals covered under  
2 the plan contract who are eighteen years of age or younger.

3 (b) Coverage required under this section may be subject to  
4 deductible, copayment, coinsurance, or annual or maximum benefit  
5 provisions of the plan contract that are consistent with  
6 deductible, copayment, coinsurance, or annual or maximum benefit  
7 provisions applicable to other similar coverage under the plan  
8 contract.

9 (c) Every mutual benefit society shall provide notice to  
10 its members regarding the coverage required by this section.  
11 The notice shall be in writing and prominently positioned in any  
12 literature or correspondence sent to members and shall be  
13 transmitted to members within calendar year 2020 when annual  
14 information is made available to members, or in any other  
15 mailing to members, but in no case later than December 31,  
16 2020."

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

19 **"§432D-23 Required provisions and benefits.**

20 Notwithstanding any provision of law to the contrary, each  
21 policy, contract, plan, or agreement issued in the State after



1 January 1, 1995, by health maintenance organizations pursuant to  
2 this chapter, shall include benefits provided in sections  
3 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-  
4 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,  
5 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,  
6 431:10A-133, 431:10A-134, 431:10A-140, [~~and 431:10A-134,~~]  
7 431:10A-A, and 431:10A-B, and chapter 431M."

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

15 SECTION 6. (a) The auditor shall conduct an impact  
16 assessment report pursuant to sections 23-51 and 23-52, Hawaii  
17 Revised Statutes, to assess the social and financial impacts of  
18 the mandate specified in sections 1, 2, 3, 4, and 5 of this Act.

19 (b) The auditor shall submit a report of its findings and  
20 recommendations, including any proposed legislation, to the



1 legislature no later than twenty days prior to the convening of  
2 the regular session of 2021.

3 SECTION 7. In codifying the new sections added by sections  
4 1 and 2 of this Act, the revisor of statutes shall substitute  
5 appropriate section numbers for the letters used in designating  
6 the new sections in this Act.

7 SECTION 8. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 9. This Act shall take effect on July 1, 2050.



**Report Title:**

Health Insurance; Mandated Coverage; Auto-injectable  
Epinephrine; Minors

**Description:**

Requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine based on appropriate weight-based dosage for insured persons eighteen years of age or younger, beginning 1/1/2021. Requires an impact assessment report. Effective 7/1/2050. (HD1)

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

