## A BILL FOR AN ACT

RELATING TO PUBLIC HEALTH EMERGENCY TESTING.

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

- SECTION 1. The purpose of this Act is to ensure the provision of affordable testing in the event of a public health emergency by:
- 4 (1) Requiring the State to provide diagnostic and antibody
  5 tests free of charge to persons who are unable to pay
  6 for these tests; and
- 7 (2) Mandating health insurance coverage for diagnostic and antibody tests.
- 9 SECTION 2. The Hawaii Revised Statutes is amended by
  10 adding a new chapter to be appropriately designated and to read
  11 as follows:
- 12 "CHAPTER
- 13 PROCUREMENT AND DISTRIBUTION OF DIAGNOSTIC AND ANTIBODY TESTS
- 14 § -1 "Public health emergency" defined. As used in this
- 15 chapter, unless otherwise indicated by the context, "public
- 16 health emergency" means any state of affairs or circumstance
- 17 that imperils the health, safety, or welfare of the public.



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1	s -2 Diagnostic and antibody tests. If the governor
2	declares the existence of a public health emergency, as defined
3	in section -1, the governor or the governor's authorized
4	representatives shall purchase and make available the
5	appropriate diagnostic or antibody tests, or both. The tests
6	shall be:
7	(1) Administered free of charge to any person in need of a
8	test if the person is unable to pay for the test; or
9	(2) Furnished free of charge to the attending physician of
10	a person in need of a test, if the person is unable to
11	pay for the test, for use in the diagnosis or
12	treatment of the person."
13	SECTION 3. Chapter 431, Hawaii Revised Statutes, is
14	amended by adding a new section to article 10A to be
15	appropriately designated and to read as follows:
16	"§431:10A- Public health emergency testing. In the
17	event of a declared public health emergency, as defined in
18	section -1, each individual or group accident and health or
19	sickness insurance policy issued or renewed in this State after
20	January 1, 2022, shall provide to the policyholder and insured

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dependents of the policyholder coverage for the relevant
diagnostic and antibody testing."

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:

JAN 2 1 2021

By Request

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#### Report Title:

Hawaii State Association of Counties Package; Public Health Emergency; Testing; Insurance; Individual Insurance; Group Accident Insurance; Health or Sickness Insurance; Insurance Policy

#### Description:

Requires the State, in a declared public health emergency, to provide diagnostic and antibody tests free of charge to persons who are unable to pay for tests. Mandates health insurance coverage for diagnostic and antibody tests in the event of a declared public health emergency.

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