

STAND. COM. REP. NO.

507

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 285
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 285, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to require the Auditor to conduct an impact assessment report on the social and financial impacts of prohibiting health insurance companies from denying coverage for certain types of health care treatments on the basis of gender identity if the policy, contract, plan, or agreement covers those treatments for purposes other than gender transition.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawai'i, Kaiser Permanente Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, American Civil Liberties Union of Hawai'i, and nine individuals.

Your Committee finds that the health insurance law should afford transgender and non-binary persons the same dignity as afforded to cisgender persons. Yet health insurance policies often cover gender-conforming treatments, such as feminizing or masculinizing hormone therapies, for other purposes, but deny

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coverage of these therapies when sought by transgender persons for the purposes of gender affirmation. This measure will assess the impacts of mandatory coverage of certain gender-affirming treatments prior to its enactment as is the practice when proposing mandated health insurance coverage for specific health coverage.

Your Committee notes that, per the testimony of the Insurance Commissioner before your Committee, the contents of the Auditor's impact assessment report should include, among other things, an actuarial analysis of the effect this measure would have on insurance premiums and the cost of any defrayals the State may be liable for in the future.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

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


AARON LINE JOHANSON, Chair



