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# SENATE CONCURRENT RESOLUTION

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REQUESTING THE AUDITOR TO CONDUCT A SOCIAL AND FINANCIAL  
ASSESSMENT OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE.

1 WHEREAS, Hawaii has long been a leader in advancing  
2 reproductive rights and advocating for equitable and affordable  
3 access to sexual and reproductive health care; and  
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5 WHEREAS, federal protections for abortion, preventative  
6 care, contraceptives, and other sexual and reproductive health  
7 care services are consistently threatened, making state  
8 protections for these services especially critical; and  
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10 WHEREAS, other states have enacted laws that effectively  
11 eliminate abortion access in their states, reflecting a broad  
12 strategy to challenge and overturn the United States Supreme  
13 Court's holding in Roe v. Wade, which protects abortion access;  
14 and  
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16 WHEREAS, the Trump administration made it difficult for  
17 insurers to cover abortion care and assembled a Supreme Court  
18 that may restrict abortion access and strike down the Patient  
19 Protection and Affordable Care Act; and  
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21 WHEREAS, eliminating the Patient Protection and Affordable  
22 Care Act would force many Hawaii residents to pay more out-of-  
23 pocket health care costs, leading many to delay or forego needed  
24 care; and  
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26 WHEREAS, access to sexual and reproductive health care,  
27 including no-cost preventive services, is critical for the  
28 health and economic security of all people in Hawaii and can  
29 help prevent more costly treatments in the future; and  
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31 WHEREAS, House Bill No. 249, originally introduced during  
32 the Regular Session of 2021, would prohibit discrimination in



1 the provision of sexual and reproductive health care services  
2 and would require health insurers, mutual benefit societies, and  
3 health maintenance organizations to provide coverage without  
4 cost-sharing for a range of reproductive health services, drugs,  
5 devices, products, and procedures; and  
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7 WHEREAS, section 23-51, Hawaii Revised Statutes, requires  
8 that, before considering any legislative measure that mandates  
9 health insurance coverage for specific health services, specific  
10 diseases, or certain providers of health care services as part  
11 of individual or group health insurance policies, the  
12 Legislature shall pass a concurrent resolution asking the  
13 Auditor to prepare and submit to the Legislature a report that  
14 assesses the social and financial effects of the proposed  
15 mandatory coverage; now, therefore,  
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17 BE IT RESOLVED by the Senate of the Thirty-first  
18 Legislature of the State of Hawaii, Regular Session of 2022, the  
19 House of Representatives concurring, that the Auditor is  
20 requested to conduct a social and financial assessment of House  
21 Bill No. 249, which was introduced during the Regular Session of  
22 2021; and  
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24 BE IT FURTHER RESOLVED that the Auditor is requested to  
25 determine whether the proposed mandated benefits in House Bill  
26 No. 249 (2021) are in excess of the essential health benefits  
27 under the Affordable Care Act, thus requiring the State to  
28 defray such costs; and  
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30 BE IT FURTHER RESOLVED that the Auditor is requested to  
31 research whether mandating the full range of reproductive health  
32 services, at no cost-share, is in violation of section 1303 of  
33 the Affordable Care Act; and  
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35 BE IT FURTHER RESOLVED that the Auditor is requested to  
36 submit a report of the Auditor's findings and recommendations,  
37 including any proposed legislation, to the Legislature no later  
38 than twenty days prior to the convening of the Regular Session  
39 of 2023; and  
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- 1 BE IT FURTHER RESOLVED that certified copies of this
- 2 Concurrent Resolution be transmitted to the Auditor, Director of
- 3 Commerce and Consumer Affairs, and Insurance Commissioner.

