



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
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DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

**Before the
House Committee on Consumer Protection and Commerce
Thursday, February 2, 2023
2:00 p.m.
State Capitol, Conference Room 329 and Via Videoconference**

**On the following measure:
H.B. 638, RELATING TO INSURANCE.**

Chair Nakashima and Members of the Committee:

My name is Gordon I. Ito, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department opposes this bill.

The purpose of this bill is to authorize prescriptions made by chiropractors for physical therapy and therapeutic massage treatment to qualify as a motor vehicle insurance personal injury protection benefit; replace the existing cap on the number of chiropractic treatment visits that qualify for motor vehicle insurance coverage with a number of visits that are deemed medically necessary; amend the reimbursement amount for chiropractic treatment from \$75 per visit to an amount tied to the charges, and any subsequent increases in charges, permissible under the workers' compensation supplemental medical fee schedule; and repeal the thirty-visit cap on combined naturopathic, chiropractic, and acupuncture treatments.

Section 1 of this bill amends Hawaii Revised Statutes (HRS) § 431:10C-103.5 by expanding prescribing authority currently reserved to medical doctors to chiropractors. Reservation of prescribing authority to medical doctors under HRS § 431C-103.5 is an important feature of “no-fault” reforms and should remain intact. We take no position on whether such prescribing authority is within chiropractors’ scope of practice.

Section 2 of this bill replaces the existing limit of thirty visits for chiropractic care in HRS § 431:10C-103.6(b) with the vague standard, “visits in a number not to exceed that which is deemed medically necessary” (see page 3, lines 3 to 4), which may lead to confusion. The existing law ensures that consumers injured in automobile accidents can seek a variety of treatments to aid in recovery from injuries.

Finally, this bill may lead to increased motor vehicle insurance premium rates.

Thank you for the opportunity to testify on this bill.

TESTIMONY OF ALISON UEOKA

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Representative Mark M. Nakashima, Chair
Representative Jackson D. Sayama, Vice Chair

Thursday, February 2, 2023
2:00 p.m.

HB 638

Chair Nakashima, Vice Chair Sayama, and members of the Committee on Consumer Protection & Commerce, my name is Alison Ueoka, President for Hawaii Insurers Council. The Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately forty percent of all property and casualty insurance premiums in the state.

HIC **opposes** this bill. This bill seeks to greatly expand the ability of chiropractors to treat those injured in motor vehicle crashes, refer to providers other than themselves, and charge motor vehicle insurers. In the early 1990's the Legislature enacted major motor vehicle insurance reform in order to contain costs and make insurance more readily available to the public. At that time, Hawaii's average motor vehicle insurance premiums were between 2 and 3 from the top of national average premiums. Part of that reform was to limit the cost and number of treatments by certain providers. Chiropractors at that time were a leading cost driver in the motor vehicle insurance system as pointed out by the IRC Study of 1991 which was a closed claims study specifically done for Hawaii because of the high cost of motor vehicle insurance as compared to other states.

In those reforms, chiropractors, naturopaths, and acupuncturists were limited to charge \$75 per visit and limit treatment to no more than 30 per provider *and* in aggregate combination. Chiropractors were later successful in obtaining additional x-ray benefits of \$50 per x-ray,

limited to 5. Since then, acupuncturists in 2017 have increased their reimbursement to that which is contained in the workers' compensation supplemental medical fee schedule, however, they have not increased their utilization or combined utilization limits or referrals to other providers.

This bill will allow chiropractors to make referrals to themselves, physical therapy, occupational therapy, rehabilitation, and therapeutic massage, *as if they are medical doctors, which they are not*. It eliminates all utilization controls by inserting a "medically necessary" standard for which the chiropractor decides whether to continue treatment or referring treatment. This alone invites abuse and could easily build PIP costs to the tort threshold of \$5,000 and beyond to the PIP limit of \$10,000. In turn, this bill will increase PIP costs, the cost of a minimum motor vehicle insurance policy, defense costs and may impact BI, UM and UIM costs as well. These costs will all be passed on to the consumer whether the treatment was necessary or not. The bill changes the reimbursement to chiropractors to that of the workers' compensation fee schedule which is a complex series of CPT codes and modalities which again, invites abuse because there are few checks and balances in the motor vehicle insurance system due to the cost of independent medical examinations and limited availability. Finally, the bill lifts all cost and utilization limits on optional additional insurance which is an inconsistency with mandatory PIP benefits, and we believe they should remain consistent and where they are today.

Motor vehicle insurance costs have been steadily increasing for a number of reasons including higher cost of physical damage, higher labor costs, supply chain issues, and inflation. We believe this bill will increase costs for motor vehicle insurance at a time when Hawaii residents suffer under many of the highest costs for basic needs including food, housing, and transportation.

If the Legislature enacts any of these provisions, we ask that you approve a provision to allow insurers to immediately recoup the cost increases that are expected to follow.

We ask that this bill be held. Thank you for the opportunity to testify.

HB-638

Submitted on: 1/31/2023 7:09:49 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dean Shivvers	Hawaii State Chiropractic Association	Support	Written Testimony Only

Comments:

Dr. Dean Shivvers President of the Hawaii State Chiropractic Association. I am testifying in favor of HB638. This bill will help create fair pay for chiropractors treating personal injury patients. Hawaii is currently the lowest-paid state in the nation and has the highest cost of living. This bill will also allow chiropractors to refer patients to physical therapy and massage treatments helping improve their quality of care.

HB-638

Submitted on: 1/31/2023 7:52:59 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr. Michelle Hill, DC, LAc	Windward Wellness	Support	Written Testimony Only

Comments:

I support this bill.

HB-638

Submitted on: 1/31/2023 8:31:27 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vu Nguyen	Sen Wellness Center LLC	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 1/31/2023 9:26:59 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Lim	Lim's Action Chiropractic	Support	Written Testimony Only

Comments:

I am in support of this bill.



To: Representative Mark M. Nakashima, Chair
Representative Jackson D. Sayama, Vice Chair
House Committee on Consumer Protection & Commerce

From: Mark Sektnan, Vice President

Re: **HB 638 – Relating to Insurance**
APCIA Position: Oppose

Date: Thursday, February 2, 2023
2:00 p.m.; conference room 329 & videoconference

Aloha Chair Nakashima, Vice Chair Sayama and Members of the Committee:

The American Property Casualty Insurance Association of America (APCIA) is opposed to **HB 638** which would greatly increase the role of chiropractors in treating those injured in auto accidents and drive up the cost of providing these services. Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.

HB 638 would undo major motor vehicle insurance reform in Hawaii passed in the early 1990's to contain costs and make insurance more readily available to the public. At that time, Hawaii's average motor vehicle insurance premiums were between 2 and 3 from the top of national average premiums. Part of that reform was to limit the cost and number of treatments by certain providers. Chiropractors at that time were a leading cost driver in the motor vehicle insurance system as pointed out by the IRC Study of 1991 which was a closed claims study specifically done for Hawaii because of the high cost of motor vehicle insurance as compared to other states.

HB 638 seeks to greatly expand the ability of chiropractors to treat those injured in motor vehicle crashes, refer to providers other than themselves, and charge motor vehicle insurers. The argument will be made that the intent of the bill is to just do what acupuncturists are allowed to do. Acupuncturists have increased their reimbursement to that which is contained in the workers' compensation supplemental medical fee schedule, however, they have not increased their utilization or combined utilization limits or referrals to other providers.

This bill goes far beyond that and will allow chiropractors to make referrals to themselves, physical therapy, occupational therapy, rehabilitation, and therapeutic massage, *as if they are medical doctors, which they are not*. It eliminates all utilization controls by inserting a “medically necessary” standard for which the chiropractor decides whether to continue treatment or referring treatment. This alone invites abuse and could easily build PIP costs to the tort threshold of \$5,000 and beyond to the PIP limit of \$10,000. In turn, this bill will increase PIP costs, the cost of a minimum motor vehicle insurance policy, defense costs and may impact BI, UM and UIM costs as well. These costs will all be passed on to the consumer whether the treatment was necessary or not. The bill changes the reimbursement to chiropractors to that of the workers’ compensation fee schedule which is a complex series of CPT codes and modalities which again, invites abuse because there are few checks and balances in the motor vehicle insurance system due to the cost of independent medical examinations and limited availability. Finally, the bill lifts all cost and utilization limits on optional additional insurance which is an inconsistency with mandatory PIP benefits, and we believe they should remain consistent and where they are today.

Motor vehicle insurance costs have been steadily increasing for a number of reasons including higher cost of physical damage, higher labor costs, supply chain issues, and inflation. We believe this bill will increase costs for motor vehicle insurance at a time when Hawaii residents suffer under many of the highest costs for basic needs including food, housing, and transportation.

If the Legislature enacts any of these provisions, we ask that you approve a provision to allow insurers to immediately recoup the cost increases that are expected to follow.

For these reasons, APCIA asks the committee to hold this bill in committee.

HB-638

Submitted on: 2/1/2023 10:54:29 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ann Chung	Hawaii State Chiropractic Association	Support	In Person

Comments:

Aloha Chair Nakashima and Vice Chair Sayama:

My name is Ann Chung and I represent the Hawaii State Chiropractic Association. We strongly support HB638. Given the significant shortage of doctors in the State, we need to support our medical professionals and we urge you to pass this bill.

Chiropractor rates for personal injury have not changed for over 25 years because of a 1997 provision in the motor vehicle law that is sorely outdated.

We humbly request to increase chiropractic rates for personal injury to tie it to the charges, allow chiropractors the ability to refer physical therapy & massage, and remove the cap on number of visits making it what is medically necessary.

As shown in an article in the The American Chiropractor publication in May 2022, Hawaii is the lowest rates that have not changed for years, despite having the highest cost of living.

Mahalo for your consideration..

HB-638

Submitted on: 1/31/2023 1:50:41 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Evelyn Perez	Turnng Point Chiropractic	Support	Written Testimony Only

Comments:

I support the bill to give due compensation to the hardworking chiropractors of Hawaii and to help patients be able to access such care.

Hawaii State Legislature
House Committee on Consumer Protection

February 1, 2023

Submitted electronically

RE: HB 638, Motor Vehicle Insurance - NAMIC's Written Testimony in Opposition

Thank you for affording the National Association of Mutual Insurance Companies (NAMIC) an opportunity to submit written testimony to the House Committee on Consumer Protection for the public hearing on HB 638.

NAMIC is the largest property/casualty insurance trade association in the country, with more than 1,400 member companies representing 40 percent of the total market. NAMIC supports regional and local mutual insurance companies on main streets across America and many of the country's largest national insurers. NAMIC member companies serve more than 170 million policyholders and write nearly \$225 billion in annual premiums.

NAMIC respectfully tenders the following questions and concerns with the proposed legislation:

- 1) What evidence is there that medical doctors have been unable to thoroughly address the needs of injured patients when it comes to prescribing medical treatments? The proposed legislation would authorize chiropractors to prescribe a host of medical treatments historically left to the medical judgment of the treating physician. NAMIC is concerned that this dual authority to prescribe certain treatments could result in inconsistent medical care for patients.
- 2) The proposed legislation removes the limitations on the number of chiropractic treatments allowed and replaces it with the "medical necessity" standard. Although, NAMIC supports "medical necessity" as the operative consideration for approving treatments, the proposed legislation is unclear as to who makes this "medical necessity" treatment decision. Section 2 of the bill, proposed to authorize chiropractors to determine treatments so would the chiropractor have unrestricted discretion in determining whether 30, 40 or 50 visits to that chiropractor is "medically necessary"? Why shouldn't this "medical necessity" determination be left to the sole discretion of the treating medical doctor?
- 3) The provision relating to determination of medical charges for chiropractic treatments is confusing. The provision states that "charges for chiropractic treatments under this section shall be tied to the charges" What does this mean? The current law sets a specific dollar amount cap for each treatment. This is a clear approach. Why eliminate this reasonable cost-containment approach? If the rate needs to be adjusted, that issue should be specifically discussed before the committee and then a rate cap can be agreed upon. Removing the rate cap altogether seems excessive and unwarranted.

4) NAMIC is concerned that the proposed legislation also contemplates removing the chiropractor treatment cap on number of visits and treatment rate that insurers must provide in their insurance coverage. What is the medical rationale for eliminating treatment caps? Once again, if the number of treatments allowed needs to be re-evaluated, that should be the focus of the discussion. Removing the caps all together doesn't necessarily mean that the patient is receiving better treatment, it just means that insurers will have to pay more in chiropractor treatments, which ultimately will become a PIP coverage insurance rate cost-drivers for consumers to have to pay for in their insurance premiums.

For the aforementioned reasons, NAMIC respectfully requests that the members of the House Committee on Consumer Protection **VOTE NO on HB 638.**

Thank you for your time and consideration. Please feel free to contact me at 303.907.0587 or at crataj@namic.org, if you would like to discuss NAMIC's written testimony.

Respectfully,

A handwritten signature in cursive script, appearing to read "Christian John Rataj".

Christian John Rataj, Esq.
NAMIC Senior Regional Vice President
State Government Affairs, Western Region

HB-638

Submitted on: 1/31/2023 6:26:03 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julienne Kaneshiro	Aloha Acupuncture & Wellness, Inc.	Support	Written Testimony Only

Comments:

I am in support of this bill

Julienne Kaneshiro Lac



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 1, 2023

TO: Representative Mark M. Nakashima
Chair, Committee on Consumer Protection & Commerce
Submitted Via Capitol Website

FROM: Matt Tsujimura

RE: **H.B. 638 – Relating to Insurance**
Hearing Date: Thursday, February 2, 2023 at 2:00PM
Conference Room: 329

Dear Chair Nakashima, Vice Chair Sayama, and Members of the Committee on Consumer Protection & Commerce:

I am Matt Tsujimura, representing State Farm Mutual Automobile Insurance Company (State Farm). State Farm offers this testimony **in opposition** to H.B. 638, Relating to Insurance. H.B. 638 would authorize prescriptions made by chiropractors for physical therapy and therapeutic massage treatment to qualify as a motor vehicle insurance personal injury protection benefit.

As a leader in the automotive insurance industry, State Farm continually seeks to provide quality coverage at an affordable price. Because medical costs are a major driver of auto-insurance rates, rising healthcare costs are of significant concern. As such, managing medical costs is necessary for affordable insurance products.

Medical treatment guidelines, such as those put in place by HRS 431:10C-308.5, have proven effective. These different medical cost management options provide the insured with an affordable way to receive appropriate care following an automobile accident.

Lifting the limitations placed on treatments in HRS 431:10C-308.5 is likely to create some uncertainty, resulting in increased claim costs, and may ultimately lead to increased premiums.

For these reasons, State Farm respectfully opposes H.B. 638, and requests that the committee defer the bill.

If this bill passes, State Farm asks that the effective date be pushed to January 1, 2025 to allow for ample time to develop and update its rates, systems, and policy forms. These changes will require additional time to create and implement for all new and current customers. For these reasons, we ask that if the committee does pass this bill, that the effective date be set for January 1, 2025.

Thank you for the opportunity to present this testimony.

HB-638

Submitted on: 2/1/2023 1:26:01 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Erik "Eazy" Shimane	Epik Chiro	Oppose	Written Testimony Only

Comments:

HB 638 whereas :

HIGHLIGHTS OF THE BILL:

1. Removes \$75 cap and ties it to the medicare fee schedule

Oppose Medicare fee schedule as the Medicare does not recognize the full scope of Chiropractic service

2. Allows referrals to PT and Massage

Referral to Physical Therapy or Massage Therapy as the therapist should undergo a separate certification course that allow the therapist to understand and have knowledge of the diagnosis and the limitations that come from a diagnosis that will change given the different phases of care

3. Removes 30-visit cap tied in with massage and acupuncture

The 30-visit cap should be tied to all medical procedures and not a visitation cap on a provider this discriminatory practice needs to end

HB-638

Submitted on: 1/31/2023 6:21:43 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Shapiro	Aloha Acupuncture & Wellness Inc.	Support	Written Testimony Only

Comments:

I am in support of this bill.

Dr. David Shapiro

HB-638

Submitted on: 1/31/2023 1:50:17 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mialoha Rhealyn Dinong	Turning Point Chiropractic	Support	Written Testimony Only

Comments:

I support the bill to help Chiropractic patients!

HB-638

Submitted on: 1/31/2023 9:52:38 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cassandra Peterson	Island Family Chiropractic	Support	Written Testimony Only

Comments:

I support this bill.



KLEIN NATURAL

HEALTH AND WELLNESS CENTER

To: Representative Mark M. Nakashima, Chair
Representative Jackson D. Sayama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

From: Rachel M. Klein, ND, DC, DACNB, FIBN-CNDH

Re: HB638, Relating to Insurance
February 2, 2023, at 2:00pm

Position: SUPPORT

As a dual licensed chiropractor and naturopathic physician, I support this bill and respectfully request the amendments below.

Chiropractors and Naturopathic Physicians are often the first healthcare provider types that patients see after sustaining an injury as the result of a motor vehicle accident. As primary care physicians, these providers should be reimbursed for all medically necessary care and should be able to make referrals for additional care as needed. Too often we see patients after an injury who have to seek care with an additional provider type, incurring unnecessary expense, only because they need a prescription for massage or other needed therapy.

Offered amendments:

To clarify that naturopathic physicians are a type of primary care doctor who may prescribe care, including massage therapy, please change page 1 line 13 to 16 to read: “pursuant to prescription by a ~~[medical doctor,]~~ physician, naturopathic physician, or chiropractor, occupational therapy, rehabilitation, and therapeutic massage by a licensed massage therapist when prescribed by a ~~[medical doctor]~~ physician, naturopathic physician, or chiropractor.”

To remove the limit on number of visits and per visit reimbursement for care by naturopathic physicians, please change page 3 line 13 and 14 to read: “(d) Naturopathic treatments shall be allowed for ~~[no more than thirty visits at no more than \$75 a visit.]~~ visits in a number not to exceed that which is deemed medically necessary.”

Thank you for your detailed attention to this matter,

Dr. Rachel M. Klein





Date: February 1, 2022

To: Representative Mark M. Nakashima, Chair
Representative Jackson D. Sayama, Vice Chair
Members of the House Committee on Consumer Protection & Commerce

From: Hawai'i Society of Naturopathic Physicians

Re: HB638, Relating to Insurance
February 2, 2023, at 2:00pm

Position: SUPPORT

The Hawai'i Society of Naturopathic Physicians supports this bill and respectfully requests the amendments below. We recognize that patients require differing amounts of care depending upon the severity of their injuries and there should not be an arbitrary limit to that care.

Naturopathic Physicians in the state of Hawai'i serve as primary care physicians and routinely provide care to patients who have suffered an injury as the result of a motor vehicle accident. The provider already caring for a patient should be able to provide the needed referrals and prescriptions so that patients do not need to visit another doctor simply in order to receive, for example, a prescription for massage therapy.

Offered amendments:

To clarify that naturopathic physicians are a type of primary care doctor who may prescribe care, including massage therapy, please change page 1 line 13 to 16 to read: "pursuant to prescription by a ~~medical doctor,~~ physician, naturopathic physician, or chiropractor, occupational therapy, rehabilitation, and therapeutic massage by a licensed massage therapist when prescribed by a ~~medical doctor~~ physician, naturopathic physician, or chiropractor."

To remove the limit on number of visits and per visit reimbursement for care by naturopathic physicians, please change page 3 line 13 and 14 to read: "(d) Naturopathic treatments shall be allowed for [no more than thirty visits at no more than \$75 a visit.] visits in a number not to exceed that which is deemed medically necessary."

Thank you for your time and attention to this matter,

Baron Glassgow
Executive Director
Hawai'i Society of Naturopathic Physicians



- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company

TIMOTHY M. DAYTON, CPCU, GENERAL MANAGER ALASKA & HAWAII
711 Kapiolani Blvd., Suite 300 ■ Honolulu, HI 96813-5238 ■ Email: tdayton@geico.com
Direct: (808) 593-1875 ■ FAX (808) 593-1876 ■ Cell: (808) 341-9252

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Mark M. Nakashima, Chair Rep. Jackson D. Sayama, Vice Chair

HB 638, Relating to Motor Vehicle Insurance
Thursday February 2, 2023
Room 329

Chair Nakashima, Vice Chair Sayama and Members of the House CP&C:

My name is Timothy M. Dayton, General Manager of GEICO; GEICO provides automobile insurance for 174,000 Hawaii households. **GEICO strongly opposes HB 638.**

I came to here in 1988 to manage GEICO in Hawaii and I personally participated in all of the Hearings and debates that ensued over the next decade regarding the high cost of motor vehicle insurance. Automobile insurance costs were the largest source of constituent complaints to the Legislature throughout the 1990's. Your predecessors in the Legislature responded emphatically and revised the relevant statutes to successfully achieve a reasonable balance between insurance benefits and an affordable price for Hawaii drivers which has continued to this day. Copied below are excerpts from the conclusion of the 1998 Legislative Session:

CONFERENCE COMMITTEE REPORT 117 [May 1, 1998]

“The purpose of this bill is to continue the reforms enacted in Act 251, Session Laws of Hawaii 1997. In the years prior to passage of ACT251, Hawaii’s consumers paid the highest auto insurance premiums in the nation in some years and the second highest in other years. Since the passage of Act 251, Hawaii’s consumers have already realized significant savings. Preliminary data indicates that this favorable trend will continue.....

Amendments to strengthen the provisions of ACT 251 and effectuate its purpose of creating a fair and equitable system that delivers maximum benefits with the greatest efficiency are included. In summary..... C. D.1 contains the following provisions.

(2) Physical therapy and therapeutic massage are restricted and available only by prescription from a medical doctor to further reduce costs. It is intended that the addition of medical doctor as a gatekeeper for these ancillary medical services will serve to prevent abuses and excessive treatment.

(3) The number and cost of x-rays taken in conjunction with chiropractic treatment are limited to continue cost containment measures previously enacted regarding the utilization and cost of chiropractic treatment.”

It is clear that the current statutory restrictions on PIP Benefits for Chiropractic treatment have worked as intended. Chiropractic treatment had been a major source of abuse and was a major factor in the high cost of automobile insurance in Hawaii. The balanced restrictions have performed as intended. This proposal is not a consumer-based benefit. In the 25 years of the current law, I do not recall ever receiving a single consumer complaint that they were unable to obtain medical treatment needed for their recovery (from injuries sustained in an automobile accident) due to restrictions on chiropractic treatment. This proposal, if enacted would be a major step in returning to the days of automobile insurance being unaffordable for many of Hawaii’s drivers. GEICO respectfully requests that the **Committee hold SB 341.**

Thank you for the opportunity to submit this testimony.

Sincerely,



Timothy M. Dayton, CPCU

HB-638

Submitted on: 2/1/2023 8:31:10 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr TIMOTHY HALE HENDLIN	Hendlin Holistic Health Center	Support	Written Testimony Only

Comments:

As a Licensed doctor and healthcare provider in the state of Hawaii for over 40 years, and having been certified for over 30 Years in Whiplash and Spinal Trauma, I fully support this bill. It will allow me and other doctors and healthcare providers to deliver the most appropriate and most effective treatment (as shown in numerous scientific research studies) to our communities and patients, This will result in more complete and improved recoveries from MVA related injuries . The scientific literature also shown that this will result in less future arthritic degeneration and sequela that are common with these injuries. All of this will be accomplished at a reduced cost, as the red tape and gatekeeper regulations and restrictions, which are currently in place have impaired the most appropriate and effective treatment from being delivered to patients by the providers. This will result in greatly reduced expenses of long-term treatment, disability, and opioid use as well. Thank you for the opportunity to submit testimony in this matter. Dr. Timothy H Hendlin

HB-638

Submitted on: 2/1/2023 10:20:19 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jesse Broderson	Malama Chiropractic Clinic	Support	Written Testimony Only

Comments:

We support this bill. Provides greater health care coverage for our community when they need it most, following the experience of an auto accident.

HB-638

Submitted on: 2/2/2023 7:24:08 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph Cardinalli DC	HSCA	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 1/30/2023 8:26:26 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Support	Written Testimony Only

Comments:

Finally something that Benefits the People instead of the Governments Pockets!!

HB-638

Submitted on: 1/31/2023 7:22:05 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caitlyn Shivvers	Individual	Support	Written Testimony Only

Comments:

I work at a chiropractor's office doing billing and believe this bill will help more patients get the care they need.

HB-638

Submitted on: 1/31/2023 9:02:21 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Battles	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 1/31/2023 9:16:28 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Shandiin Edgewater	Individual	Support	Written Testimony Only

Comments:

I support this bill to help the chiropractic profession.

HB-638

Submitted on: 1/31/2023 9:17:42 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sage Mabanag	Individual	Support	Written Testimony Only

Comments:

i sage support this bill to help car accident patients in hawaii

HB-638

Submitted on: 1/31/2023 7:43:15 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
AMY VANQUAETHEM	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing to you in support of HB638. As a chiropractor that has practiced in Hawaii intermittently for over 22 years, I feel that it is time for HI to match other states in the handling of Personal Injury Claims. Caps on visits and costs ultimately hurt the individual's involved in a motor vehicle accident by limiting care. Restrictions on referrals make it difficult for patients to receive the necessary concurrent care that is crucial when injured in an accident. I ask that you please pass this bill to help everyone have a better experience when healing from a trauma. Mahalo

HB-638

Submitted on: 1/31/2023 9:20:23 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Teresa Hernandez	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill

HB-638

Submitted on: 1/31/2023 9:49:15 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mona Manzano	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill

HB-638

Submitted on: 1/31/2023 1:41:09 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
COLLEEN TANAKA	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 1/31/2023 1:44:03 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaichu	Individual	Support	Written Testimony Only

Comments:

I support this bill because I believe it will help patient to get more benefits and provide better care for it.

Michael Traub, ND, FABNO
Lokahi Health Center
75-5591 Palani Rd. Suite 201
Kailua Kona, Hawaii 96740
Phone 808-329-2114
Fax 808-326-2871
Traub.michael@gmail.com

January 31, 2023

Re: HB638

Hearing Thursday February 2, 2023 2:00 pm

Committee on Consumer Protection and Commerce
Rep. Mark Nakashima, Chair
Rep. Jackson Sayama, Vice Chair

HB 638 would authorize prescriptions made by chiropractors for physical therapy and therapeutic massage to qualify as a motor vehicle insurance personal injury protection benefit and replace the existing cap on the number of chiropractic treatment visits.

I am in support of HB638 but it should be amended to include naturopathic physicians as well. Not including naturopathic physicians would be discriminatory.

Mahalo for your consideration.

Sincerely,

Michael Traub ND

HB-638

Submitted on: 2/1/2023 1:42:54 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Allison King	Individual	Support	Remotely Via Zoom

Comments:

I support this bill

HB-638

Submitted on: 2/1/2023 7:24:52 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chelsea Titus	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-638

Submitted on: 1/31/2023 7:21:15 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Rheya Marie Fernandez	Individual	Support	Written Testimony Only

Comments:

I support this bill.

HB-638

Submitted on: 1/31/2023 8:21:49 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Levi Richards	Individual	Support	Written Testimony Only

Comments:

I support this Bill.

HB-638

Submitted on: 2/1/2023 9:44:11 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lloyd	Individual	Support	Written Testimony Only

Comments:

02/01/2023

I support HB638.



1188 Bishop St.
Unit 1605
Honolulu Hawaii 96813
808-524-8715
info@hawaiinaturalmedicine.com

January 31, 2023

Re: HB638

Hearing Thursday February 2, 2023 2:00 pm

Committee on Consumer Protection and Commerce
Rep. Mark Nakashima, Chair
Rep. Jackson Sayama, Vice Chair

HB 638 would authorize prescriptions made by chiropractors for physical therapy and therapeutic massage to qualify as a motor vehicle insurance personal injury protection benefit and replace the existing cap on the number of chiropractic treatment visits.

I am in full support of HB638 but I think this bill should be amended to include naturopathic physicians as well. I believe that we are often excluded in legislative decisions, and it would save the State the effort and cost of having Naturopathic doctors file a separate bill.

Mahalo for your consideration.

Regards,

Stephen Benchouk ND

HB-638

Submitted on: 2/1/2023 11:12:24 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Wilcox	Individual	Support	Written Testimony Only

Comments:

I support HB638 and request that you all support it also

HB-638

Submitted on: 2/1/2023 1:31:36 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Goodman	Individual	Support	Written Testimony Only

Comments:

I support this bill to help provide the proper care can be provided to each patient based on their unique needs and not limited by a broad uniform standard.

HB-638

Submitted on: 2/1/2023 1:45:48 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James Finley	Individual	Support	Written Testimony Only

Comments:

I am In support of this bill.

HB-638

Submitted on: 2/1/2023 6:18:25 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
MARK K ROCCO	Individual	Support	In Person

Comments:

I have been practicing in the field of Chiropractic for 15 years specializing in the area of structural correction and stabilization with patients suffering from workmen's comp injury and automobile injuries.

I am supporting this New Bill to assist patients and providers on successful treatment protocols that require adequate time for healing, regeneration, and stabilization of ligaments and tendons and joints. Research in the last 15 to 20 years demonstrates that ligaments will commonly take 6 months and longer to re-generate and stabilize at the present time. If patients receive a mixture of treatments such as acupuncture, massage and chiropractic 30 visits per claim; this will be inadequate for the healing and regeneration of the ligaments in the spine or extremities. The Kroft Institute has studied and acknowledged the muscle, ligament and nerve damage associated with car accidents. Which these studies have taught us that the provider will need more than 30 visits to align and re-generate and help heal the patient appropriately. In addition, this new bill will assist patients more quickly on receiving acupuncture and massage therapy care, with direct referrals from their chiropractic doctors. Mahalo for your attention to this testimony.

HB-638

Submitted on: 2/1/2023 3:38:45 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Selena-Anne Baker	Individual	Support	Written Testimony Only

Comments:

I support this bill!

HB-638

Submitted on: 2/1/2023 3:42:47 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
thais carrasquillo	Individual	Support	Written Testimony Only

Comments:

I support this bill!

HB-638

Submitted on: 2/1/2023 4:43:43 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Martos	Individual	Support	Written Testimony Only

Comments:

Dear Honorable Senator,

I am writing to express my strong support for bill HN638. As a patient, I have personally experienced the challenges and limitations imposed by the current \$75 cap per visit for chiropractic care. This cap limits my ability to receive the necessary and ongoing care required to manage my condition and maintain my well-being.

I fully endorse the provisions in bill HN638 that would remove the \$75 cap per visit and base chiropractic care on individual need, rather than arbitrary limits. This approach would allow me and others to receive the care we need to live our lives with greater comfort and independence.

Furthermore, I support the provision in bill HN638 that would allow my current treating chiropractor to refer me to a massage therapist or physical therapist for additional care. This would provide me with access to a more comprehensive range of treatments and support, which would significantly improve my quality of life.

In conclusion, I strongly urge you to support bill HN638. The provisions outlined in this bill would greatly benefit patients like myself, and I believe that it would result in improved health outcomes for many people across the state.

Thank you for your consideration of this matter.

Sincerely,

Ryan Martos

HB-638

Submitted on: 2/1/2023 5:44:11 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Ogawa	Individual	Support	Written Testimony Only

Comments:

I am in support of HB638.

Thank you

Alice Ogawa, D.C.

HB-638

Submitted on: 2/1/2023 5:52:37 PM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Y. Tomei	Individual	Support	Written Testimony Only

Comments:

In all fairness, I support this bill

HB-638

Submitted on: 2/2/2023 7:03:41 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cory Wilson	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill.

HB-638

Submitted on: 2/2/2023 7:18:11 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Klein	Individual	Support	Written Testimony Only

Comments:

I have practiced chiropractic in Hawaii since 1980 (43 years). Insurance regulations affecting this profession have changed over time. The limitations currently in effect have not changed for over 25 years and are out of date. This bill is long overdue.

Please support HB638.

Robert E. Klein, D.C.; Hilo, HI

HB-638

Submitted on: 2/2/2023 7:38:07 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Christopher Piianaia	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 2/2/2023 8:21:59 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cyrus ogawa	Individual	Support	Written Testimony Only

Comments:

I am in support of this bill.

HB-638

Submitted on: 2/2/2023 8:57:30 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ERIC WRUCK	Individual	Support	Written Testimony Only

Comments:

In the current medical services market, I have noted that CAM therapies are being used more and more both by patients and MD's alike as there is a current shortage of providers in Hawaii as it is. This bill will help auto accident victims recieve the maximum benefit with CAM services without taxing medical providers.

Thank you,

Eric Wruck DC, APRN, FNP

HB-638

Submitted on: 2/2/2023 9:41:22 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Randy R Collins	Individual	Support	Written Testimony Only

Comments:

I support bill HB638. This bill will eliminate the gross discrimination in reimbursements for chiropractic healthcare providers. I have been in practice for over 40 years. The acceptance and utilization of chiropractic medicine has continued to increase over this time. However, full integration of chiropractic into the current healthcare system is blocked due to reimbursement issues. Hospitals can't bring on board chiropractors if they can't pay for them because of insufficient reimbursements. Insurers know quite well that low reimbursements cause a impediment to access which ultimately is more profit for them. Please correct this discriminatory policy with HB638.

HB-638

Submitted on: 2/2/2023 10:27:11 AM

Testimony for CPC on 2/2/2023 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig	Individual	Support	Written Testimony Only

Comments:

I support this bill.