

STAND. COM. REP. NO.

3217

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 1686  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 1686, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100.

Your Committee received testimony in support of this measure from the Hawaii State Chiropractic Association; Pearl City Chiropractic, LLC; Tanaka and Associates Chiropractic & Massage, L.L.C.; Eclipse Chiropractic LLC; Turning Point Chiropractic Inc.; Dr. Jill Dawrs Family Chiropractic Clinic; Klein Natural Health and Wellness Center; and thirty individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs and Hawaii Insurers Council.



Your Committee finds that in the nearly three decades since the personal injury protection benefit for chiropractic treatments under motor vehicle insurance was first established pursuant to Act 251, Session Laws of Hawaii 1997, the cost of chiropractic care has continually increased, while the statutory benefit provided has remained unchanged. Therefore, this measure ensures equitable, fair, and accessible chiropractic care for individuals recovering from automobile accidents by increasing the authorized insurance benefit (i.e., reimbursement rates) for chiropractic treatments to align with current costs.

Your Committee has amended this measure by:

- (1) Replacing language that would have increased the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100 with language that instead ties the authorized insurance benefits to the charges, and any subsequent increases in charges, that are permissible under the workers' compensation supplemental medical fee schedule;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1686, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1686, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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



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JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

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|--|--|-------------------------|
| Bill / Resolution No.:*<br><b>HB1686 HDI</b> | Committee Referral:<br><b>CPN, WAM</b> | Date:<br><b>3/14/24</b> |
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

| Members                         | Aye      | Aye (WR) | Nay      | Excused |
|---------------------------------|----------|----------|----------|---------|
| KEOHOKALOLE, Jarrett (C)        | ✓        |          |          |         |
| FUKUNAGA, Carol (VC)            | ✓        |          |          |         |
| MCKELVEY, Angus L.K.            | ✓        |          |          |         |
| RICHARDS, III, Herbert M. "Tim" | ✓        |          |          |         |
| AWA, Brenton                    |          |          | ✓        |         |
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| <b>TOTAL</b>                    | <b>4</b> |          | <b>1</b> |         |

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature:  
*Carol Fukunaga*

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\*Only one measure per Record of Votes