
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that the National
2 Institutes of Health has reported that obesity and being
3 overweight are now the second leading cause of death nationally,
4 with an estimated three hundred thousand deaths a year
5 attributed to the epidemic. Obesity increases the risk for
6 chronic diseases and conditions, including high blood pressure,
7 heart disease, certain cancers, arthritis, mental illness, lipid
8 disorders, sleep apnea, and type 2 diabetes. The legislature
9 finds that clinicians increasingly recognize that obesity is
10 closely linked to genetics and environmental factors.

11 The legislature further finds that more than half of
12 medicare beneficiaries are treated for five or more chronic
13 conditions per year. The rate of obesity among medicare
14 beneficiaries doubled from 1987 to 2002 and nearly doubled again
15 by 2016, with medicare spending on individuals with obesity
16 during that time rising proportionately to reach \$50 billion in



1 2014. On average, a medicare beneficiary with obesity costs
2 \$2,018 more than a healthy-weight beneficiary.

3 Accordingly, the purpose of this Act is to require health
4 insurance providers to include in their policies coverage for
5 weight management medication for individuals covered under the
6 policy.

7 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
8 amended by adding a new section to article 10A to be
9 appropriately designated and to read as follows:

10 "§431:10A- Coverage for weight management medication.

11 (a) Each individual or group policy of accident and health or
12 sickness insurance delivered or issued for delivery in this
13 State after December 31, 2023, shall provide coverage for
14 medication used for:

- 15 (1) The treatment of obesity; or
16 (2) Weight loss management for an insured who is
17 overweight and has one or more related comorbidities.

18 (b) For the purposes of this section:

19 "Obesity" means a body mass index greater than or equal to
20 thirty kilograms per square meter.



1 "Overweight" means a body mass index greater than twenty-
2 five, but less than thirty, kilograms per square meter."

3 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
4 amended by adding a new section to article 1 to be appropriately
5 designated and to read as follows:

6 §432:1- Coverage for weight management medication. (a)

7 Each individual and group hospital or medical service plan
8 contract delivered or issued for delivery in this State after
9 December 31, 2023, by a mutual benefit society shall provide
10 coverage for medication used for:

- 11 (1) The treatment of obesity; or
- 12 (2) Weight loss management for a member who is overweight
13 and has one or more related comorbidities.

14 (b) For the purposes of this section:

15 "Obesity" means a body mass index greater than or equal to
16 thirty kilograms per square meter.

17 "Overweight" means a body mass index greater than twenty-
18 five, but less than thirty, kilograms per square meter."

19 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
20 amended to read as follows:



1 "§432D-23 Required provisions and benefits.
2 Notwithstanding any provision of law to the contrary, each
3 policy, contract, plan, or agreement issued in the State after
4 January 1, 1995, by health maintenance organizations pursuant to
5 this chapter, shall include benefits provided in sections
6 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
7 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,
8 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,
9 431:10A-133, 431:10A-134, 431:10A-140, and [~~431:10A-134,~~
10 431:10A- , and chapter 431M."

11 SECTION 5. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 6. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval.
17

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JAN 23 2023

H.B. NO. 965

Report Title:

Health Insurance; Mandatory Health Coverage Weight Management Medication; Obesity; Overweight; Comorbidities

Description:

Requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for medication used for the treatment of obesity or weight loss management for a covered individual who is overweight and has one or more related comorbidities.

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