

ACT 52

S.B. NO. 3185

A Bill for an Act Relating to Cancer.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the Hawaii breast and cervical cancer control program was established in 1997 to provide breast and cervical cancer screening. Since that time, the Hawaii breast and cervical cancer control program, administered by the department of health, and the breast and cervical cancer treatment program, administered by the department of human services, have worked together to help screen and treat women in Hawaii for breast and cervical cancer.

Chapter 346, Hawaii Revised Statutes, was amended in 2001 to provide for a breast and cervical cancer treatment program to be administered by the department of human services for women who are not eligible for federally-funded medicaid coverage as provided by the Breast and Cervical Cancer Prevention and Treatment Act of 2000. In addition to treatment, breast and cervical cancer screening, education, and outreach are important services in promoting women's health.

The purpose of this Act is to reach more women who are eligible to be screened for breast and cervical cancers by:

- (1) Requiring the department of human services to collaborate with the department of health to assist with breast and cervical cancer screening, education, and outreach; and
- (2) Transferring \$150,000 from the department of human services to the department of health for cervical and breast cancer screening, education, and outreach.

SECTION 2. Section 346-59.2, Hawaii Revised Statutes, is amended to read as follows:

"[§346-59.2] [Breast] Comprehensive breast and cervical cancer [treatment] control program. (a) There is established the comprehensive breast and cervical cancer [treatment] control program, to be administered by the department of human services[;] in collaboration with the department of health, to assist women who have been diagnosed with breast or cervical cancer by the Hawaii [Breast and Cervical Cancer Control Program;] comprehensive breast and cervical cancer control program, but who are not eligible for federally-funded medicaid coverage as provided by the Breast and Cervical Cancer Prevention and Treatment Act of 2000.

(b) Under the comprehensive breast and cervical cancer [treatment] control program, the department of human services shall provide state-funded medical assistance, as appropriated by the legislature, to women who are diagnosed with breast or cervical cancer through the Hawaii [Breast and Cervical Cancer Control Program;] comprehensive breast and cervical cancer control program, but who are not eligible for federal medicaid coverage; provided that the person either:

- (1) Is a resident alien of Hawaii who is not eligible for medicaid; or
- (2) Would be eligible under medicaid except that the person has health care coverage that specifically does not provide coverage for cancer treatment.

(c) The department of health shall work collaboratively with the department of human services to assist in and support the screening, education, and outreach process regardless of a woman's eligibility for medicaid coverage.

(d) Under the comprehensive breast and cervical cancer control program, the department of health shall provide state-funded medical assistance, as funded by the legislature, to:

- (1) Screen women for breast and cervical cancer;
- (2) Educate women regarding the risks associated with breast and cervical cancer; and
- (3) Provide outreach to women who are at risk for breast and cervical cancer.”

SECTION 3. Of the funds appropriated out of the general revenues of the State of Hawaii to the department of human services in Act 213, Session Laws of Hawaii 2007, for the comprehensive breast and cervical cancer control program, pursuant to section 346-59.2, Hawaii Revised Statutes, the sum of \$150,000 or so much thereof as may be necessary for fiscal year 2008-2009 for cervical and breast cancer screening, education, and outreach shall be transferred to the department of health for the purposes specified under this Act.

SECTION 4. The department of health and the department of human services shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session on the expenditure of all funds for the comprehensive breast and cervical cancer control program.

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2008.

(Approved May 1, 2008.)