

STAND. COM. REP. NO.

218

Honolulu, Hawaii

**FEB 09** , 2023

RE: H.B. No. 638  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 638 entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to remove the statutory barriers that prevent access to greater chiropractic care as a benefit under motor vehicle insurance policies.

Your Committee received testimony in support of this measure from the Hawaii State Chiropractic Association; Windward Wellness; Sen Wellness Center LLC; Lim's Action Chiropractic; Turning Point Chiropractic; Aloha Acupuncture & Wellness, Inc.; Island Family Chiropractic; Klein Natural Health and Wellness Center; Hawai'i Society of Naturopathic Physicians; Hendlin Holistic Health Center; Malama Chiropractic Clinic; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, American Property Casualty Insurance Association of America, National Association of Mutual Insurance Companies, State Farm Mutual Automobile Insurance Company, Epik Chiro, and GEICO.

Your Committee finds that chiropractic is a system of therapy focused on the structure of the body, particularly the spine.

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Your Committee also finds that motor vehicle accidents are a major cause of spinal injuries and other mobility issues. Chiropractic care may reduce inflammation and restore mobility after a motor vehicle accident. Your Committee further finds that existing law places undue barriers on access to chiropractic care in the event of a motor vehicle accident. This measure will remove those barriers.

Your Committee has amended this measure by:

- (1) Clarifying that the charges and any subsequent increase in charges for chiropractic treatments shall be tied to the charges permissible under the Workers' Compensation Supplemental Medical Fee Schedule;
- (2) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 638, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 638, H.D. 1, and be referred to your Committee on Finance.

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



MARK M. NAKASHIMA, Chair



