

Honolulu, Hawaii

FEB 08 , 2024

RE: H.B. No. 2223  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 2223 entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to require, beginning January 1, 2025, health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for biomarker testing.

Your Committee received testimony in support of this measure from the University of Hawai'i Cancer Center; Michael J. Fox Foundation for Parkinson's Research; ALS Association; Lupus and Allied Diseases Association, Inc.; International Cancer Advocacy Network; National Organization for Rare Disorders; American Cancer Society Cancer Action Network; Alliance for Patient Access; American Lung Association; Biotechnology Innovation Organization; and AdvaMed. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Hawaii Medical Service Association; and Kaiser Permanente Hawai'i.

Your Committee finds that biomarker testing is an invaluable tool in the diagnosis, treatment, appropriate management, and ongoing monitoring of diseases or conditions. This testing allows for a more precise and personalized approach to medical care by



identifying specific genetic, molecular, or biochemical markers associated with an individual's disease. This measure would advance the standard of care for individuals facing various diseases and conditions, particularly in the field of oncology where biomarker testing plays a pivotal role in personalized medicine.

Your Committee has amended this measure by:

- (1) Specifying that health insurers, mutual benefit societies, and health maintenance organizations, shall provide coverage for biomarker testing services that are medically necessary;
- (2) Applying biomarker testing coverage to health plans under the State's Medicaid managed care program and requiring the Department of Human Services to seek approval from the Centers for Medicare and Medicaid Services by a certain date;
- (3) Specifying that the coverage proposed by this measure for Medicaid managed care health plans is contingent on the approval of the Hawaii Medicaid State Plan amendment by the Centers for Medicare and Medicaid Service;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2223, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2223, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on  
behalf of the members of the  
Committee on Health &  
Homelessness,

*DeLa A Belatti*

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DELLA AU BELATTI, Chair



Record of Votes of the Committee on Health & Homelessness

Bill/Resolution No.: <b>HR2223</b>	Committee Referral: <b>HLT, CPC, FIN</b>	Date: <b>1/31/24</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	/			
2. TAKENOUCHI, Jenna (VC)	/			
3. AMATO, Terez	/			
4. ILAGAN, Greggor	/			
5. KOBAYASHI, Bertrand	/			
6. MARTEN, Lisa	/			
7. NISHIMOTO, Scott Y.	/			
8. GARCIA, Diamond	/			
<b>TOTAL (8)</b>	<b>8</b>			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				