
A BILL FOR AN ACT

RELATING TO VACCINATIONS.

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

1 SECTION 1. The legislature finds that infection with
2 sexually transmitted human papillomavirus is common in adult
3 populations worldwide. Research suggests that up to seventy-
4 five per cent of women will become infected with one or more of
5 the sexually transmitted human papillomavirus types at some
6 point during adulthood. Although most genital human
7 papillomavirus infections come and go without ever causing any
8 symptoms, lingering infections with a small subset of high-risk
9 HPV types can lead to the development of cervical cancer.

10 The current generation of preventive human papillomavirus
11 vaccines that are available target the two most common high-risk
12 human papillomavirus types that cause about seventy per cent of
13 all cervical cancer. The two vaccines that are currently
14 available, Gardasil and Cervarix are designed to elicit virus-
15 neutralizing antibody responses that prevent initial infection
16 with the HPV types represented in the vaccine. The vaccines have
17 been shown to offer one hundred per cent protection against the
18 development of cervical pre-cancers and genital warts caused by



1 the HPV types in the vaccine, with few or no side effects. The
2 protective effects of these vaccines are expected to last a
3 minimum of 4.5 years after the initial vaccination.

4 The development of human papillomavirus vaccines offer a
5 previously unavailable source of protection against one of the
6 most common and deadly types of cancer. In essence, a human
7 papillomavirus vaccine is a vaccine against cervical cancer.
8 The purpose of this Act to improve the overall health of
9 Hawaii's population and reduce the incidence of cervical cancer
10 by requiring insurance coverage for human papillomavirus
11 immunizations, to include HPV immunization among services
12 available from the department of health to indigents and others,
13 and to include human papillomavirus immunization among the
14 vaccinations in the department of health's teen vax program.

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

18 **"§431:10A- Human papillomavirus immunization; notice.**

19 (a) Any other law to the contrary notwithstanding, each
20 employer group health policy, contract, plan, or agreement
21 issued or renewed in this State after December 31, 2006, that
22 provides coverage to female policyholders ages eleven through



1 twenty-six years of age, shall provide, not as an employer
2 option and not as a deductible, immunization against human
3 papillomavirus for the policyholder and individuals covered
4 under the policy, contract, plan, or agreement. The coverage
5 provided shall in no way diminish or limit diagnostic benefits
6 otherwise provided.

7 (b) Every insurer shall provide notice to its
8 policyholders regarding the coverage required by this section.
9 The notice shall be in writing and prominently positioned in any
10 literature or correspondence sent to policyholders and shall be
11 transmitted to policyholders within calendar year 2007 when
12 annual information is made available to policyholders, or in any
13 other mailing to policyholders, but in no case later than
14 December 31, 2007."

15 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 **"§432- Human papillomavirus immunization; notice. (a)**
19 Any other law to the contrary notwithstanding, each individual
20 and group hospital or medical service plan, policy, contract, or
21 agreement issued or renewed in this State after December 31,
22 2006, that provides coverage to female members ages eleven



1 through twenty-six years of age, shall provide, not as an
2 employer option and not as a deductible, immunization against
3 human papillomavirus for the member and individuals covered
4 under the policy, contract, plan, or agreement.

5 (b) Every mutual benefit society shall provide notice to
6 its members regarding the coverage required by this section.
7 The notice shall be in writing and prominently positioned in any
8 literature or correspondence sent to members and shall be
9 transmitted to members within calendar year 2007 when annual
10 information is made available to members, or in any other
11 mailing to members, but in no case later than December 31,
12 2007."

13 SECTION 4. Section 325-32, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§325-32 Immunization against infectious diseases.** The
16 department of health may adopt rules requiring and governing
17 immunization against typhoid fever, pertussis (whooping cough),
18 diphtheria, tetanus, poliomyelitis, measles, mumps, hepatitis B,
19 rubella, haemophilus influenzae type B, human papillomavirus,
20 and any other communicable disease, if a suitable immunizing
21 agent is available for the disease and a need for immunization
22 against it exists within the State. The department may also



1 provide vaccines and other immunizing agents to private and
2 public health care providers for administration to the general
3 public."

4 SECTION 5. Section 325-38, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) The department of health shall provide for the free
7 immunization and vaccination of indigent and medically indigent
8 persons and may provide such immunizations for others,
9 especially children, of high risk and susceptibility as may be
10 defined by the director through rules adopted pursuant to
11 chapter 91, for their protection against the types of diseases
12 that, in the discretion of the director, would be inimical to
13 the health and lives of persons who may contract these diseases,
14 including but not limited to diphtheria, pertussis, tetanus,
15 polio, typhoid, measles, mumps, rubella, haemophilus influenza
16 (systemic), hepatitis B, human papillomavirus, influenza, and
17 pneumococcal disease, and against other diseases for which
18 vaccines have and will have been developed in the future."

19 SECTION 6. Section 432D-23, Hawaii Revised Statutes, is
20 amended to read as follows:

21 "**§432D-23 Required provisions and benefits.**

22 Notwithstanding any provision of law to the contrary, each



1 policy, contract, plan, or agreement issued in the State after
 2 January 1, 1995, by health maintenance organizations pursuant to
 3 this chapter, shall include benefits provided in sections
 4 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
 5 116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, and 431:10A-121,
 6 and 431:10-_____, and chapter 431M."

7 SECTION 7. The director of health shall include
 8 immunization against human papillomavirus among the
 9 immunizations available in the teen vax program.

10 SECTION 8. There is appropriated out of the general
 11 revenues of the State of Hawaii the sum of \$ _____, or so much
 12 thereof as may be necessary for fiscal year 2007-2008, and the
 13 sum of \$ _____, or so much thereof as may be necessary for
 14 fiscal year 2008-2009, to carry out the purposes of sections 5
 15 and 7 of this Act.

16 The sums appropriated shall be expended by the department
 17 of health.

18 SECTION 9. Statutory material to be repealed is bracketed
 19 and stricken. New statutory material is underscored.

20 SECTION 10. This Act shall take effect on July 1, 2007.

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Report Title:

Vaccinations; Human Papillomavirus

Description:

Requires health insurance policies issued in the State to cover human papillomavirus vaccination for people age 11 through 26; directs the department of health to include human papillomavirus immunization in the teen vax program.

