

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 114
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer
Protection, to which was referred S.B. No. 114 entitled:

"A BILL FOR AN ACT RELATING TO DENTAL CARE,"

beg leave to report as follows:

The purpose of this measure is to ensure that families who
have overlapping or dual dental insurance coverage are able to
obtain the full benefits of these insurance coverages.

Specifically, this measure requires insurers that provide
dental insurance coverage to:

- (1) Declare its coordination of dental benefits policy
prominently in its evidence of coverage or contract with
the insured;
- (2) When acting as a primary dental benefits plan, pay the
maximum amount required by its contract with the
insured; and
- (3) When acting as a secondary dental benefits plan, pay the
lesser of either the amount that it would have paid in
the absence of any other dental benefits coverage, or
the insured or beneficiary's total out-of-pocket cost
payable under the primary dental benefits plan for
benefits covered under the secondary plan.



Your Committees received testimony in support of this measure from the Hawaii Dental Association. Your Committees received testimony in opposition to this measure from the Hawaii Medical Service Association.

Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that dental insurance coverage is an important component to the overall health and wellbeing of families in Hawaii. Families that are fortunate to have dual insurance policies covering dental care are finding that they are not getting the full benefit of the two policies they or their employers are paying for. Your Committees find that dental benefits need to be coordinated and insurers need to make available the coordination of dental benefits policy to their members.

Your Committees have amended this measure by:

- (1) Clarifying that the coordination of benefits rules shall apply to each person that is covered by two or more of the following that cover dental services:
 - (A) Policies, contracts, plans, and agreements with a dental service corporation as authorized by chapter 423, Hawaii Revised Statutes;
 - (B) Blanket disability insurance policies or blanket disability insurance policies regulated under chapter 431, Hawaii Revised Statutes;
 - (C) Individual or group hospital or medical service plans regulated under chapter 432, Hawaii Revised Statutes; and
 - (D) Policies, contracts, plans and agreements regulated under chapter 432D, Hawaii Revised Statutes;
- (2) Requiring that the coordination of benefits rules shall be consistent with the National Association of Insurance Commissioners Coordination of Benefits Model Regulation relating to order of benefit determinations; and



- (3) Requiring each employer offering policies, contracts, plans, or agreements covering dental services to inform its employees of any coordination of dental benefits policy.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 114, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 114, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair



DAVID Y. IGE, Chair

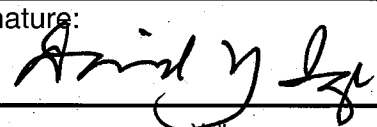


Record of Votes Committee on Health HTH

*Only one measure per Record of Votes

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <div style="text-align: center; font-size: 1.2em;">SB 114</div>	Committee Referral: <div style="text-align: center; font-size: 1.2em;">HTH / CPN</div>	Date: <div style="text-align: center; font-size: 1.2em;">02/06/09</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les				
SAKAMOTO, Norman				
HEMMINGS, Fred	✓			
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; font-size: 1.5em; margin-top: 10px;">  </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**