

LINDA LINGLE GOVERNOR

JAMES R. AIONA, JR. LT. GOVERNOR OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

TWENTY-FIFTH LEGISLATURE Regular Session of 2010

Wednesday, February 17, 2010 2:00 p.m.

TESTIMONY ON HOUSE BILL NO. 1896, HD1 - RELATING TO DENTAL SERVICES.

TO THE HONORABLE ROBERT N. HERKES, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is J.P. Schmidt, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs ("Department"). The Department supports this bill which prohibits dental insurers from setting fees for procedures that are not covered by the dental plan.

It is logical that an insurer should not be able to dictate reimbursement levels to dentists unless the procedure in question is covered by the dental plan and is the subject of a participating provider agreement between the dentist and the dental insurer that addresses reimbursement levels. That said, we do not have any knowledge of how big a problem this is in the Hawaii market.

We thank this Committee for the opportunity to present testimony on this matter and ask for your favorable consideration.

LAWRENCE M. REIFURTH

RONALD BOYER DEPUTY DIRECTOR

Hawaii State Legislature State House of Representatives Committee on Consumer Protection and Commerce

Representative Robert N. Herkes, Chair Representative Glenn Wakai, Vice Chair Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Room 329 House Bill 1896, HD 1 Relating to Dental Services

Honorable Chair Robert N. Herkes, Vice Chair Glenn Wakai and members of the House Committee on Consumer Protection and Commerce,

My name is Russel Yamashita and I am the legislative representative for the Hawaii Dental Association and its 965 member dentists. I appreciate the opportunity to testify in support of HB 1896, HD1 Relating to Dental Services. The bill before you today would seek to prohibit health and dental insurance companies from setting fees for dental services which are not subject to the contract with the insurance company.

Health and dental insurance companies are now including clauses in their contracts with participating dentists which state that non-covered services (ie. dental procedures that are not insured by their policy contracts) would be subject to a fee schedule dictated by the insurance companies. Such price fixing and restraint of trade by these insurance companies harm not only the consumer, but in some cases will cause patients with insurance to be turned away from their dentist due to these onerous clauses.

For instance, if an insurance company policy set a fee at any amount it choose to for a non-covered, non-insured, non-contracted procedure, say, for instance a crown. The insurance contract would require that a participating dentist could only charge a set fee for that uninsured service. This is a clear restraint of trade as the companies set out to control fees of independent dentists outside of the normal contracts the companies offer.

Additionally, should a patient with insurance seek the services of their family dentist for a serious dental problem or disease, the uninsured consumer could find that their trusted dentist is restricted or prohibited from providing full and complete professional services to their family due the onerous restrictions such a contract.

In the course of responding to other states which have adopted or are in the process of adopting similar laws to HB 1896, the Delta Dental Plans Association has attacked these laws by stating that the patient benefits from a discounted service based on such provisions in their participation contracts. The HDA disputes this assertion and wishes to point out that in some situations the participating dentist is put into a losing proposition, especially on the neighbor islands where costs of doing business is much higher.

On the neighbor islands, patients may go to dentists unwilling to participate with the insurance companies where fee schedules are based on Honolulu based dentists. The consequences of such a situation will even further burden the limited number of participating dentists and may result in further access to care problems in remote or rural areas.

In one of their documents, Delta Dental raised the question, "What give Delta the right to set fees you don't even cover?". The response was:

"We believe every one deserves access to affordable oral health care. Just as you must adjust service, techniques and material to remain competitive in your community, so must Delta Dental adapt to the evolving needs of our enrollees."

The real response is that this is price fixing, pure and simple. It makes is easier for all the insurance companies to then run the business of the dental professionals. Without a federal antitrust exemption that most health insurance companies enjoy, dental and medical professionals are at the mercy of the insurance companies, unable to effectively negotiate like a union for fear of an antitrust or restraint of trade law suit. The only response the individual dentist can do is to reject the contract or sign a contract of adhesion.

In response to the testimony of the Hawaii Dental Service (HDS) to the Senate companion bill for HB 1896, HD 1, the Legislative committee of the Hawaii Dental Association met with the Chief Executive Officer of HDS, Ms. Faye Kurren, her staff and members of the Board of Directors of the HDS on Monday, February 15, to discuss HDS's concerns regarding this bill. As a result, the HDA and HDS agreed to a clarification of the definition of "Covered Services" on the line 14 of page one. The phrase "annual benefits maximum" would be added after the term "waiting period,".

This would address the concerns raised by HDS of the application of this bill to clearly exclude the services covered and insured by HDS contracts when the benefits have been exceeded by the insured patient. Therefore, the patient would benefit by not paying for any service that exceeded the fee insurance schedule which fell outside of their insurance coverage. The dentist would not be able to charge any fee for the exceeded benefit, but would be limited to the insurance fee schedule, thus protecting the patient.

Therefore, the HDA and its members urge your favorable consideration of this bill and I thank you for this opportunity to testify in support of this bill.





February 16, 2010

The Honorable Robert N. Herkes, Chair Hawaii State House of Representatives House Committee on Consumer Protection and Commerce

Re: HB 1896, HD1-Relating to Dental Services

Dear Chair Herkes and Members of the Committee:

Hawaii Dental Service (HDS) appreciates the opportunity to testify in opposition to HB1896 that will increase the amount Hawaii residents pay for dental care. Presently, more than 500,000 Hawaii residents with HDS dental benefits pay the HDS discounted price for common dental procedures. HB1896 would prohibit dental benefits carriers from negotiating discounted fees with dentists for a full range of dental services that patients currently receive from participating dentists. This is the wrong legislation at the wrong time.

On its face, HB1896 seems to make sense. Dentists want to be able to charge their full retail fees for services not covered by a patient's dental plan. HDS does not cover all dental services; exceptions include cosmetic dentistry and certain procedures not commonly performed so there is not enough credible fee data to set a reasonable fee. We agree that dentists should be able to set fees for those procedures that we do not cover. We do not set fees for procedures we do not cover. We have a schedule fee for covered services that applies to all services rendered to HDS members. We understand that there are some mainland based dental benefits carriers that do set fees for cosmetic procedures and other procedures that HDS does not cover, and that has been the impetus behind this bill which is being introduced nationally by the American Dental Association.

However, the consumer needs to be aware that the definition of a non-covered service set forth in HB1896 is any procedure for which the dental benefits carrier does not make payment. The bill would allow the dentist to charge the patient any fee the dentist chooses for any and all dental services needed by the patient, once the patient has reached his or her annual maximum or if the plan contains limitations on certain services. Some lower cost dental plans targeted at seniors and individuals not eligible for group plans focus primarily on diagnostic and preventive services.

The range of fees submitted by dentists for a current non-covered service, a resin based composite or white filling on one surface of a posterior tooth is illustrative of the need to set a reasonable fee to protect patients. The average fee submitted for this commonly performed cosmetic procedure is \$130, but the highest fee submitted (and paid by this dentist's patient) was \$600. Overcharging on non-covered services is the most common complaint we receive from HDS patients. This bill will increase the number of uncovered services payable by consumers.

Hawaii Dental Service 700 Bishop Street, Suite 700 Honolulu, Hawaii 96813-4196 Telephone: 808-521-1431 Toll Free: 800-232-2533 Fax: 808-529-9368 The Honorable Robert N. Herkes, Chair House Committee on Consumer Protection and Commerce Re: HB 1896, HD1-Relating to Dental Services/2

Dental insurance protects a patient financially when patients need dental services that they might not otherwise be able to afford. Dental insurance provides patients with known, discounted fees on services. Dental insurance has much lower annual maximums than medical insurance, typically \$1,000 to \$2,000. Once a patient reaches the annual maximum, he needs protection from high fees. Consumers do not have the knowledge, leverage or in many cases the time to negotiate their own discounts for dental services. And patients may not get the care they need due to unlimited cost.

Dentists receive benefits from HDS over and above fee reimbursement. First and foremost dental insurance provides dentists with patients who can pay for dental services. People with dental benefits are twice as likely to see a dentist regularly, compared with people without dental benefits. HDS pays dentists directly for care provided to HDS patients, helping dentists to receive prompt payment without collection and billing costs. Participating dentists have provided discounts to HDS patients under the current contractual arrangement for over 35 years. 96% of licensed, practicing Hawaii dentists participate with HDS.

HB1896 has no financial impact on dental benefits carriers. It simply stops us from negotiating discounts on behalf of our members, unless the carrier is paying for the service. The financial burden will fall on patients-who will have to pay more for the care they need.

There are several dental benefits carriers doing business in Hawaii. Dentists are free to contract with any or all or none of us. Customers are free to buy a dental plan from any of us or none. We all have different fee reimbursement policies for dentists and offer different dental benefit plans in the marketplace. HB 1896 would remove choices for consumers as well as for dentists, and raise the total cost of dental care for our state. We believe that now is not the time to be putting more financial strain on people who are already burdened by the increasing costs of healthcare in today's challenging economy, and therefore would respectfully request that the Committee hold HB1896. Thank you for the opportunity to testify today.

Sincerely,

eed

Faye W. Kurren President and CEO



An Independent Licensee of the Blue Cross and Blue Shield Association

February 17, 2010

The Honorable Robert Herkes, Chair The Honorable Glenn Wakai, Vice Chair House Committee on Consumer Protection and Commerce

Re: HB 1896 HD1 – Relating to Dental Services

Dear Chair Herkes, Vice Chair Wakai and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in opposition to HB 1896 HD1 which would prohibit health or dental plans from requiring dentists to accept a set fee for a service which was determined by the plan unless the service is covered under the member's plan.

Although the language of HB 1896 HD1 is seemingly benign, we believe that passage of this measure would set a dangerous precedent. When providers enter into contracts with plans these contracts represent negotiated terms which have been agreed to by both parties. The bill before the Committee today seems to be an attempt to address an issue some dentists have with the terms of a contract which they have already signed. HB 1896 HD1 would constitute the legislature's direct involvement into a legal contractual relationship between two private entities. Passage of legislation of this type could lead to many other aggrieved individuals seeking recourse from the legislature when, after entering into a contractual agreement, they are unhappy with the terms.

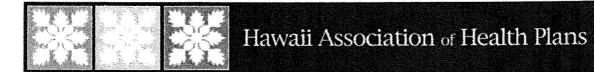
Given the concerns that we have with this measure, we would respectfully request the Committee see fit to hold it. Thank you for the opportunity to testify today.

Sincerely,

Jennifer Diesman Vice President Government Relations

(808) 948-5110

Branch offices located on Hawaii, Kauai and Maui Internet address www.HMSA.com



February 17, 2010

The Honorable Robert N. Herkes, Chair The Honorable Glenn Wakai, Vice Chair House Committee on Consumer Protection and Commerce

Re: HB 1896 HD1 - Relating to Dental Services

Dear Chair Herkes, Vice Chair Wakai and Members of the Committee:

My name is Howard Lee and I am President of the Hawaii Association of Health Plans ("HAHP"). HAHP is a non-profit organization consisting of seven (7) member organizations:

AlohaCare Hawaii Medical Assurance Association HMSA Hawaii-Western Management Group, Inc. MDX Hawai'i University Health Alliance UnitedHealthcare

Our mission is to promote initiatives aimed at improving the overall health of Hawaii. We are also active participants in the legislative process. Before providing any testimony at a Legislative hearing, all HAHP member organizations must be in unanimous agreement of the statement or position.

HAHP appreciates the opportunity to testify in opposition to HB 1896 HD1 which would legislate contracted terms between private entities.

Although we do not believe that the contracting terms described within this measure are currently being implemented locally, before considering any prohibition on the ability of plans to negotiate a consumer discount with providers, we believe that a consumer benefit should be demonstrated. If HB 1896 HD1 were to be passed, consumers would be harmed through a combination of higher prices and higher premiums for their coverage.

We also do not believe that states should be involved in prohibiting contract terms between providers and plans. This could set a precedent that will have future groups approaching the legislature for contract relief. For the reasons above, we respectfully oppose passage of HB 1896 HD1.

Thank you for the opportunity to testify today.

Sincerely,

Atoward RF Car

Howard Lee President

 AlohaCare • HMAA • HMSA • HWMG • MDX Hawaii • UHA • UnitedHealthcare • HAHP c/o Howard Lee, UHA, 700 Bishop Street, Suite 300 Honolulu 96813 www.hahp.org Wilfred Miyasaki 1139 Bethel St Honolulu, HI 96813-2207

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325 HB 1896, HD1 RELATING TO DENTAL SERVICES. Prohibits an accident and health or sickness insurer, mutual benefit society,

health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement. Effective July 1, 2020. (HB1896 HD1)

HOUSE OF REPRESENTATIVES COMMITTEE ON CONSUMER PROTECTION & COMMERCE Rep. Robert N. Herkes, Chair Rep. Glenn Wakai, Vice Chair

Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

I am happy to provide routine services to my patients under current guidelines. But very very often each week I have many patients who from their end request additional or non covered services from me. These include things like implants, cosmetics, sedation therpy for fearful patients. These services almost always require extra expense, time, advanced or specialized training beyond the usual. I cannot provide what patient's request with these limitations. Dental insurance is not like medical insurance. Have you ever seen a medical insurance policy say you can only pay \$1000 a year for medical care and if you want cosmetic surgery all we will pay is \$1000? Dental insurance is designed for routine check up dentistry but not for complex or major or difficult dental problems. Please give patients the option to decide for themsilves if these non covered advanced services are right for them.

As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Wilfred Miyasaki DMD 533-0000

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Gerald Adachi 715 S. King St Suite 425 Honolulu, HI 96813-3021

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

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With aloha,

Gerald Adachi, DMD 521-4421

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Maria P. Adora 1210 Dillingham Blcd. Suite 12 Honolulu, HI 96817

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

Maria P. Adora

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Jacqueline Brown-Hitomi 1600 Kapiolani Blvd. #518 Honolulu, HI 96814-3802

February 16, 2010

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha, Jacqueline 8089495644 philip chang 1613 nuuanu ave. a-10 honolulu, HI 96817-3253

February 14, 2010

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With aloha,

philip chang 8085334606

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Kevin Ching 1441 Kapiolani Blvd. Suite 408 Honolulu, HI 96814-4400

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ Dear House of Representatives Consumer Protection and Commerce Committ:

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With aloha,

Kevin Ching 808-946-0442

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [17jwhoo5]

Wallace Chong, Jr. 74 Ponahawai Street Hilo, HI 96720-3026

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Wallace F. Chong, Jr., DDS 808-959-6347

Mitchell Chun 444 Uluniu St. Kailua, HI 96734-2517

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

HB 1896, HD1 RELATING TO DENTAL SERVICES. Prohibits an accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement. Effective July 1, 2020. (HB1896 HD1)

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There is no fairness, no reason, and no logic to limiting a dentist from fulfilling a service excluded from the list of covered insurance.

I find insurances are attempting to control that which is not theirs especially when dentists have patiently and carefully conducted a co-diagnosis for a patient's request for service.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Mitchell Chun

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [FEH80Rv7]

Patrick Crowe 1653 Kanalui St. Honolulu, HI 96816-1831

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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With aloha, Dr. Crowe D.D.S.

Patrick D. Crowe 734-8476

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J. Mickey Damerell 1129 Lower Main St., Suite 107 Wailuku, HI 96793-2054

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

J. Mickey Damerell 8082441499

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [ygdgPJM4]

Peter Fay 312 Piliwale Rd. Kula, HI 96790-8878

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Peter

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [84ugzvu1]

Lynn Fujimoto 850 Kam Hwy Suite 215 Pearl City, HI 96782-2603

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Lynn K. Fujimoto DMD 456-4555

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [IqhaOPD8]

Carla C. Fukumoto DDS 321 N. Kuakini St. Suite 803 Honolulu, HI 96817-2362

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

Carla C. Fukumoto, DDS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [j4491TBV]

Richard L Gore DDS 5306 Kumole Street Kapaa, HI 96746-2240

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Richard L Gore, DDS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [99lqhao5]

Earl Hasegawa DDS 135 South Wakea Ave, Suite 103 kahului, HI 96732-1385

February 14, 2010

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With aloha,

Earl Hasegawa, DDS, MS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [KTY67Sr0]

Garrett T. Hayashi, D.D.S. 1003 Bishop Street, Pauahi Tower Suite 393 Honolulu, HI 96813

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

Garrett T. 808-536-5090 Patrick Hayashi 1144 12th Ave Honolulu, HI 96816-3712

February 16, 2010

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With aloha,

Patrick Hayashi

Clay R. Hiramoto DDS 4253 RICE STREET, SUITE D P. O. Box 3249 Lihue, HI 96766-6249

February 14, 2010

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With aloha,

Clay R. Hiramoto, DDS 808-245-3135

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [f6419DCO]

Sean Holliday 98-1247 Kaahumanu St. #202 Aiea, HI 96701-5310

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Sean Holliday

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [e6444UEX]

William Hu 377 Keahole St. #211 Honolulu, HI 96825-3405

February 15, 2010

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

William Hu, DMD

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [07502EII]

Berwyn Ito 1600 Kapiolani Blvd. #1400 Honolulu, HI 96814-3807

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

HB 1896, HD1 RELATING TO DENTAL SERVICES. Prohibits an accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement. Effective July 1, 2020. (HB1896 HD1)

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With aloha,

Berwyn Ito, D.D.S. (808)947-8888

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [26vwkjl1]

Glenn Kadohiro 154 Papalaua Street, #200 Lahaina, HI 96761-1616

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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With aloha,

Glenn Kadohiro, DDS 808-667-7711

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [s1659YLQ]

peter kanazawa 1010 South King ST. STE. 603 Honolulu, HI 96814-1707

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

peter kanazawa (808)591-0633

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [h3477HSU]

Bruce J. Keller DDS 45-950 Kamehameha Hwy. Kaneohe, HI 96744-3260

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Bruce J. Keller, DDS 8082474291

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [kcfpDAX0]

steve kumasaka 400 halaki street honolulu, HI 96821-2104

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

steve kumasaka

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [fakdESE6]

Bonnie S.L. Lau DDS 1221 Kapiolani Blvd, #515 Honolulu, HI 96814-3512

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

Bonnie S.L. Lau, DDS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [10330YUF]

Janice Lee 1519 Nuuanu Ave., #117 Honolulu, HI 96817-3757

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

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With aloha,

Janice Lee 8084888119

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [v7012AKJ]

Wayne Leong 82 Puuhonu Place ste 201 Hilo, HI 96720-2010

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Wayne S H Leong 8089353552

Loren Liebling 579 Keolu Dr. Unit E Kailua, HI 96734-3980

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Loren Liebling 808-753-4767

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [gqtgGCT2]

Craig Mason 277 Aikahi Place Kailua, HI 96734-1648

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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By setting fees for noncovered services at rates below what it costs me to produce them, an insurance company makes it financially imposible for me to provide those services. As a result, my patients must either be referred to a dentist who does not participate with their insurance, or they go without the services.

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With aloha,

raig A. Mason DDS 254-2888

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LORI MASUDA 555 FARRINGTON HWY., #1 KAPOLEI, HI 96707-2052

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Lori A. Masuda 808-674-2520 wayne matsuura 95-674 holani st mililani, HI 96789-2932

February 16, 2010

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

wayne matsuura

Robert Miura, D.D.S. 1221 Kapiolani Blvd. #848 Honolulu, HI 96814-3515

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

HB 1896, HD1 RELATING TO DENTAL SERVICES. Prohibits an accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement. Effective July 1, 2020. (HB1896 HD1)

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I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

I also want to thank those of you who believe in family values and support marriage between a man and a woman and that legalizing gambling would not be good for our state.

With aloha,

Robert Miura, D.D.S. 808-597-1221

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [VME11PI5]

Randal Morita 98-1247 Kaahumanu St. Ste 325 Aiea, HI 96701-5301

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Randal Morita • 808-486-5505

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [ODP38Vu8]

Annmarie Muramoto 73-1404 Kakau Pl Kailua Kona, Hl 96740-9210

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

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Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Annmarie Muramoto 808 329 6167

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [oopiGGJ7]

Chester Naka DDS 1060 Young Street, Suite 225 Honolulu, HI 96814-1609

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Chester Naka DDS 524-6996

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [tumtPKW4]

Neil Nunokawa 1885 Main Street Wailuku, HI 96793-1819

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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The insurance company maintains that a provider has signed an agreement and can always drop out if he or she does not want to comply with the requirements. In Hawaii where health care is dominated by the insurance companies, to become a non-provider would be be an extreme burden or possibly economic suicide in these difficult financial times. Unlike unions, providers are forbidden from banding together to oppose onerous insurance regulations.

Insurance companies also maintain that by limiting non-covered services they are contolling excessive costs to the people of Hawaii. By this reasoning, Home Depot should set prices for all hardware stores.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Neil C. Nunokawa D.D.S. 808-244-3986

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [xovoFJB8]

Glenn Okihiro 850 Kamehameha Hwy. #110 Pearl City, HI 96782-2603

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Glenn Okihiro 808-455-4173

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [53wjggf1]

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Guy Rapoza 100 Pauahi St. # 210 Hilo, HI 96720-3046

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

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I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

Sincerely,

Guy Rapoza DDS

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [ttwrCIR9]

arleen regala 99-128 aiea hts dr #602 kailua, HI 96701-3939

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

arleen regala 808-262-0013

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [97pvcds1]

Richard Tamaru 615 Piikoi St., Ste. 804 HONOLULU, HI 96814-3140

February 14, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

As a dentist practicing in the state of Hawaii. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. I have a fair amount of fixed and variable costs which I have to consider in my practice. All too often the insurance company will recognize the necessity any extra efforts but deny or restrict the amount that my patient can share in. This strikes me as an unfair way by the third party payor to limit what I can offer my patient.

I try to offer my patients a good value for my services. Please don't let an outside organization dictate how I can practice dentistry. It is also telling that the Hawaii Insurance Commission is in support of this measure.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Richard H. Tamaru, D.M.D. (808)589-2711

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [LDA08Ku5]

HOUSE OF REPRESENTATIVES COMMITTEE ON CONSUMER PROTECTION & COMMERCE Rep. Robert N. Herkes, Chair Rep. Glenn Wakai, Vice Chair

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Honorable Chair Herkes, ViceChair Wakai and members of the House Committee on Consumer Protection and Commerce, Thank you for the opportunity to testify in support of House Bill 1896,HD1 which would prevent third party payors from imposing payment limits on non-

covered dental services.

I am a general dentist practicing in the state of Hawaii for over 25 years. I strive to deliver dentistry to the best of my abilities for the benefit of my patients. To this end, I feel that there is an unfair ability by the insurance companies allowing them to interfere with the provision of these services.

As it stands now, a third party payor has the ability not only to deny payment on a non-covered service but in addition can limit what a dentist can collect on that service. This restricts what I can offer and provide to my patients. My fees have to be able to cover the costs of my services as well as to justify the efforts involved in the provision of those services. There may be additional lab fees and other attendant expenses. All too often the insurance company will recognize the necessity for the extra efforts but deny or restrict the amount that can be assessed. This strikes me as an effort by the third party payor to effectively restrict trade.

It is a specious argument that, by these practices, the insurance company keeps the cost of dental premiums down for the patient. This doesn't make sense to me as the maximum dental benefit is limited by the insurance carrier for each individual. This maximum has typically not been changed for 30 years or more. Conversely, I seriously doubt that the premiums have been kept in check at the previous levels.

Dentistry, through efficiency and advances in technology, has proven itself as health care that works. To deny the people of Hawai'i optimal levels of treatment through such exclusionary means is to deny choice.

Thank you for the opportunity to present this testimony in favor of HB 1896, HD1.

Darrell T Teruya, DDS Former president (2009), Hawai'i Dental Association Derek Tom 98-150 Kaonohi ST. C#207 aiea, HI 96701-5022

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

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Thank you for the opportunity to present this testimony in favor of HB 1896, HD1 and for your consideration of this measure.

With aloha,

Derek Tom DDS 808-488-0100

This message has been verified by CapwizXC as authentic and sent by this individual. Authentication ID: [b6556IXK]

Byron Tsukano DDS 1371 Lower Main Street, Unit 5 Wailuku, HI 96793-1961

February 15, 2010

House of Representatives Consumer Protection and Commerce Committ

Dear House of Representatives Consumer Protection and Commerce Committ:

Hawaii State Legislature House of Representatives Committee on Consumer Protection and Commerce

Wednesday, February 17, 2010, 2:00 p.m. Conference Room 325

HB 1896, HD1 RELATING TO DENTAL SERVICES. Prohibits an accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization from requiring a dentist who provides services to its subscribers to accept a fee set by the accident and health or sickness insurer, mutual benefit society, health maintenance organization, or dental service organization unless the services are covered under the applicable subscriber agreement. Effective July 1, 2020. (HB1896 HD1)

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Thank you for the opportunity to testify in support of House Bill 1896, HD1 which would prevent third party payors from imposing payment limits on non-covered dental services.

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With aloha,

Byron Tsukano, DDS 8082432277

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Kurt Uyehara 1441 honolulu, HI 96814

February 16, 2010

House of Representatives Consumer Protection and Commerce Committ

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With aloha,

Kurt Uyehara

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Lisa M. 94-229 Waipahu Depot Rd. #500 Waipahu, HI 96797-3035

February 15, 2010

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With aloha,

Lisa M. Valderueda, D.M.D. 808-676-5711

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Candace Wada 3314 Kamaaina Drive Honolulu, HI 96817-1030

February 15, 2010

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With aloha,

Candace Wada 808-222-2928

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Wendy Wakai 1268 Young St #202 Honolulu, HI 96814-1801

February 16, 2010

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With aloha,

Wendy Wakai 808-593-8861 Mark Watanabe DDS 4429 Malaai Street #103 Honolulu, HI 96818-3158

February 16, 2010

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With aloha,

Mark Watanabe, DDS

Melvin Yamada 3148 Manoa Road Honolulu, HI 96822-1227

February 14, 2010

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With aloha,

Melvin Yamada 808-988-6889

Randall Yee 1063 Lower Main St., Suite C-224 Wailuku, HI 96793-2096

February 15, 2010

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With aloha,

Randall Yee DDDS 808-242-6857

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Jon Yoshimura DDS, FAGD 1441 Kapiolani Blvd., Suite 1510 Honolulu, HI 96814-4407

February 14, 2010

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Jon Yoshimura, DDS, FAGD 808-944-1155

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Bob Cushnie 162 Kailuana Loop Kaneohe, HI 96744

February 16, 2010

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Bob Cushnie (808)247-2240