STAND. COM. REP. NO. 702

Honolulu, Hawaii February 17, 2017

RE: H.B. No. 235 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Health, to which was referred H.B. No. 235 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose of this measure is to increase the authorized benefit for acupuncture treatments allowed under personal injury protection benefits provided through motor vehicle insurance.

AcuPlan Hawaii; Iao Acupuncture and Spa, LLC; Mala Healing Arts, Maui Acupuncture; Molokai Acupuncture and Massage; Hawaii Oriental Medicine and Acupuncture Association; Institute of Clinical Acupuncture and Oriental Medicine; and numerous concerned individuals testified in support of this measure. The Department of Commerce and Consumer Affairs, Hawaii Insurers Council, GEICO, Property Casualty Insurers Association of America, and a concerned individual testified in opposition to this measure. State Farm Mutual Automobile Insurance Company provided comments.

Your Committees have amended this measure by:

 Removing the ties for acupuncture treatment fees to the workers' compensation fee schedule and instead establishing a separate fee of no more than \$105.70 per visit for these treatments;



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- (2) Deleting the automatic escalator provision that ties increases in payments for acupuncture treatments with annual increases to the Medicare economic index;
- (3) Capping the total benefit amount for acupuncture, chiropractic, and naturopathic treatments under personal injury protection benefits at \$2,250;
- (4) Changing its effective date to July 1, 2112, to facilitate further discussion; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 235, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 235, H.D. 1, and be referred to your Committee on Finance.

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

We a select

DELLA AU BELATTI, Chair

ANGUS L.K. MCKELVEY, Chair





## **Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: HB 235	Committe CPC	e Referral: HLT	FIN Date:	2/13/	17		
$\theta$ The committee is reconsidering				· · · ·			
The recommendation is to: $\theta$ Pass, unamended (as is) $\theta$ Pass, with amendments (HD) $\theta$ Hold $\theta$ Pass short form bill with HD to recommit for future public hearing (recommit)							
CPC Members		Ayes	Ayes (WR)	Nays	Excused		
1. McKELVEY, Angus L.K. (C)			1				
2. ICHIYAMA, Linda (VC	)						
3. AQUINO, Henry J.C.							
4. ITO, Ken							
5. SAY, Calvin K.Y.							
6. TAKAYAMA, Gregg		$\checkmark$					
7. TODD, Chris							
8. YAMANE, Ryan I.		✓					
9. FUKUMOTO, Beth		a 🗸 🗸					
·							
TOTAL (9)		9	0	0	0		
The recommendation is: Adopted <b>0</b> Not Adopted							
If joint referral, did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							

## State of Hawaii



## **Record of Votes of the Committee on Health**

Bill/Resolution No.: HB235 CF	tee Referral: C/HLT, F	FIN Date	2-13	>-17			
$\theta$ The committee is reconsidering its previous decision on the measure.							
The recommendation is to: $\theta$ Pass, unamended (as is) $\theta$ Pass, with amondments (HD) $\theta$ Hold $\theta$ 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. KOBAYASHI, Bertrand (VC)							
3. HAR, Sharon E.							
4. MORIKAWA, Dee							
5 OSUBO Marrie B							
5. OSHIRO, Marcus R.							
6. TODD, Chris							
7. TUPOLA, Andria P.L.							
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TOTAL (7)	5	-7-		7_			
The recommendation is:  θ Adopted  θ Not Adopted    If joint referral,							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							