

JAN 25 2017

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that Native Hawaiians are
2 more likely to develop chronic disease and die an average of ten
3 years earlier than people of other ethnic groups in Hawaii.
4 Native Hawaiians have among the highest rates of obesity,
5 hypertension, diabetes, cardiovascular and cerebrovascular
6 diseases, and certain cancers. Nationally, Native Hawaiians
7 have among the highest mortality rates. Studies indicate that
8 many Native Hawaiians feel alienated from and have a mistrust of
9 the present health care system, preferring more culturally
10 acceptable means of managing their health.

11 The legislature further finds that section 226-20, Hawaii
12 Revised Statutes, sets objectives and policies of the Hawaii
13 state plan for socio-cultural advancement of health with
14 specific language that requires the prioritization of programs,
15 services, interventions, and activities that address identified
16 social determinants of health intended to improve Native
17 Hawaiian health and well-being consistent with the United States



1 Congress' declaration of policy as codified in 42 United States
2 Code section 11702, and to reduce disparities among
3 disproportionately affected demographic groups, including Native
4 Hawaiians, other Pacific islanders, and Filipinos. This law
5 provides for the possibility that demographic groups other than
6 Native Hawaiians may be reviewed for prioritization every ten
7 years and revised based on the best available epidemiological
8 and public health data.

9 The legislature additionally finds that, to address these
10 issues, the Senate of the Twenty-Seventh Legislature of the
11 State of Hawaii adopted Senate Resolution No. 60, creating a
12 Native Hawaiian health task force to specifically improve the
13 health of Native Hawaiians, other Pacific islanders, and all the
14 people of Hawaii. The goal of the task force was to articulate
15 policy priorities that would advance health equity for Native
16 Hawaiians and, in turn, the health of the State's entire
17 population. The framework and recommendations discussed by the
18 task force were embraced by community members, agencies, the
19 state government, and representatives of native-serving
20 institutions. The work of the task force was community- and



1 land-focused and emphasized Native Hawaiian cultural values and
2 aspirations.

3 The task force used nā pou kihi as the cultural framework
4 to organize the task force's findings and recommendations.
5 Consistent with the hale, or home, as a metaphor for
6 establishing a health and vibrant Native Hawaiian population, nā
7 pou kihi reflects the four corner posts of a hale necessary to
8 support the weight of the hale and everyone residing therein.

9 The legislature also finds that one of the nā pou kihi,
10 referred to by the task force as ka hana pono, focused on the
11 lifestyle choices and aspirations of Native Hawaiians striving
12 for optimal health and well-being in ways consistent with their
13 shared cultural values and practices. Ka hana pono includes the
14 physical activities and foods enjoyed, the health care services
15 accessed and received, the health opportunities available, and
16 the cultural values and practices that Native Hawaiians respect
17 and live by. The legislature further finds that traditional
18 Native Hawaiian practices, including hula, lua, and canoe
19 paddling, have been shown to be effective in the areas of weight
20 management, cardiovascular health, diabetes management, and
21 chronic kidney disease management.



1 This Act reflects the position of the senate on Native
2 Hawaiian health care. The senate supports:

- 3 (1) Collaborative efforts to ensure that funding for
4 Native Hawaiian health care continues;
- 5 (2) Native Hawaiians and Pacific Islanders by focusing on
6 essential social and cultural determinants that
7 improve health outcomes amongst the State's indigenous
8 population;
- 9 (3) Options to improve health care for keiki and residents
10 in rural areas; and
- 11 (4) Collaborative efforts to provide better dental care
12 for keiki and adults throughout the State's
13 communities.

14 The purpose of this Act is to expand health insurance
15 benefits to include coverage for traditional Native Hawaiian
16 practices with proven and demonstrable health benefits.

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

20 "§431:10A- Native Hawaiian culture-based activities
21 benefits. (a) Every policy of accident and health or sickness



1 insurance issued or renewed in this State on or after January 1,
2 2018, shall include coverage for Native Hawaiian culture-based
3 activities, including but not limited to canoe paddling, hula,
4 and lua activities, that have empirically shown to be effective
5 in the management of weight, cardiovascular health, diabetes,
6 and chronic kidney disease.

7 (b) This section shall not apply to policies that provide
8 coverage for specified diseases or other limited benefit
9 coverage, as provided pursuant to section 431:10A-102.5."

10 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
11 amended by adding a new section to article 1 to be appropriately
12 designated and to read as follows:

13 "§432:1- Native Hawaiian culture-based activities
14 benefits. (a) Every hospital or medical service plan contract
15 issued or renewed in this State on or after January 1, 2018,
16 shall include coverage for Native Hawaiian culture-based
17 activities, including but not limited to canoe paddling, hula,
18 and lua activities, that have empirically shown to be effective
19 in the management of weight, cardiovascular health, diabetes,
20 and chronic kidney disease.



1 (b) This section shall not apply to policies that provide
2 coverage for specified diseases or other limited benefit
3 coverage, as provided pursuant to section 431:10A-102.5."

4 SECTION 4. Section 432D-23, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§432D-23 Required provisions and benefits.**

7 Notwithstanding any provision of law to the contrary, each
8 policy, contract, plan, or agreement issued in the State after
9 January 1, 1995, by health maintenance organizations pursuant to
10 this chapter, shall include benefits provided in sections
11 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-
12 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,
13 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,
14 431:10A-133, 431:10A-134, 431:10A-140, and [~~431:10A-134,~~]
15 431:10A-_____, and chapter 431M."

16 SECTION 5. Notwithstanding any other law to the contrary,
17 the mandatory coverage for Native Hawaiian culture-based
18 activities required under sections 2, 3, and 4 of this Act shall
19 apply to all health benefits plans under chapter 87A, Hawaii
20 Revised Statutes, issued, renewed, modified, altered, or amended
21 on or before the effective date of this Act.



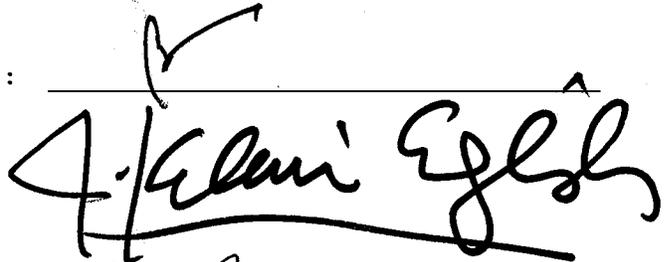
S . B . NO . 1315

1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: _____







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S.B. NO. 1315

Report Title:

Health Insurance; Mandatory Coverage Native Hawaiian Culture-based Activities

Description:

Requires all health benefits plans to include coverage for Native Hawaiian culture-based activities, including but not limited to canoe paddling, hula, and lua, that have empirically shown to be effective in the management of weight, cardiovascular health, diabetes, and chronic kidney disease.

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