
A BILL FOR AN ACT

RELATING TO HEALTH CARE PRACTITIONERS.

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

1 SECTION 1. It is estimated that one in five hundred
2 children in the State are born with orofacial anomalies such as
3 cleft lip or cleft palate. However, orthodontic services, such
4 as reconstructive surgery, can assist individuals with orofacial
5 anomalies by addressing functional deficiencies in chewing,
6 swallowing, respiration, and speech, as well as unstable or
7 malpositioned oral structures, premature tooth loss, and other
8 health problems. In response to individuals and families who
9 lacked access to orthodontic treatment of orofacial anomalies,
10 Act 213, Session Laws of Hawaii 2015 (Act 213), also called
11 "Anya's Law", was enacted to require health insurance coverage
12 of medically necessary orthodontic services for the treatment of
13 certain orofacial anomalies. Under the definition of
14 "orthodontic services" in Act 213, the services are required to
15 be provided by a licensed dentist with a certification in
16 orthodontics by the American Board of Orthodontics (ABO).



1 However, the legislature finds that of the approximately
2 forty orthodontists in the State, only eleven are certified by
3 the ABO. Of the eleven orthodontists with an ABO certification,
4 only a few have performed the medically necessary orthodontic
5 services for treatment of orofacial anomalies described in
6 section 431:10A-132, Hawaii Revised Statutes, and only in
7 limited circumstances. The legislature also notes that a
8 certification by the ABO is voluntary and not required to
9 practice orthodontics in the State.

10 The purpose of this Act is to expand the pool of
11 orthodontists who are eligible to perform orthodontic services
12 for treatment of orofacial anomalies for which health insurance
13 coverage is required to any licensed dentist who has completed
14 an orthodontic residency program.

15 SECTION 2. Section 431:10A-132, Hawaii Revised Statutes,
16 is amended by amending subsection (h) to read as follows:

17 "(h) As used in this section, unless the context clearly
18 requires otherwise:

19 "Orofacial anomalies" means cleft lip or cleft palate and
20 other birth defects of the mouth and face affecting functions
21 such as eating, chewing, speech, and respiration.



1 "Orthodontic services" mean direct or consultative services
2 provided by a licensed dentist [~~with a certification in~~
3 ~~orthodontics by the American Board of Orthodontics.~~] who has
4 completed an orthodontic residency program.

5 "Treatment of orofacial anomalies" includes the care
6 prescribed, provided, or ordered for an individual diagnosed
7 with an orofacial anomaly by a craniofacial team that includes a
8 licensed dentist, orthodontist, oral surgeon, and physician, and
9 is coordinated between specialists and providers."

10 SECTION 3. Section 432:1-613, Hawaii Revised Statutes, is
11 amended by amending subsection (g) to read as follows:

12 "(g) As used in this section, unless the context clearly
13 requires otherwise:

14 "Orofacial anomalies" means cleft lip or cleft palate and
15 other birth defects of the mouth and face affecting functions
16 such as eating, chewing, speech, and respiration.

17 "Orthodontic services" means direct or consultative
18 services provided by a licensed dentist [~~with a certification in~~
19 ~~orthodontics by the American Board of Orthodontics.~~] who has
20 completed an orthodontic residency program.



1 "Treatment of orofacial anomalies" includes the care
2 prescribed, provided, or ordered for an individual diagnosed
3 with an orofacial anomaly by a craniofacial team that includes a
4 licensed dentist, orthodontist, oral surgeon, and physician, and
5 is coordinated between specialists and providers."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9



Report Title:

Health Care Practitioners; Orthodontic Services; Anya's Law;
Orofacial Anomalies; Health Insurance Coverage

Description:

Expands the pool of orthodontists who are eligible to perform medically necessary orthodontic services for treatment of certain orofacial anomalies for which health insurance coverage is mandatory. (Proposed SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018

RECEIVED
THE SENATE
CLERK'S OFFICE
STATE OF HAWAII

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Senator Rosalyn H. Baker, Chair
Senator Jill N. Tokuda, Vice Chair

'18 FEB 22 P3:51

NOTICE OF HEARING

DATE: Monday, February 26, 2018
TIME: 9:45 AM
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

A G E N D A

- | | | |
|---|--|------------|
| <p><u>SB 208, SD1</u>
(SSCR469)
<u>Status & Testimony</u></p> | <p>RELATING TO UNCLAIMED LIFE INSURANCE BENEFITS.
Adopts the National Conference of Insurance Legislators' Model Unclaimed Life Insurance Benefits Act, which requires life insurers to conduct database searches using the federal Social Security Administration's death master file or similar database to determine whether an insured has died. Requires life insurers to use good faith efforts to locate any beneficiaries to a policy, contract, or retained asset account. Authorizes the insurance commissioner to use discretion to limit, exempt, or phase-in compliance with requirements under certain circumstances. Effective January 1, 2018. (SD1)</p> | <p>CPH</p> |
| <p><u>SB 3064</u>
<u>Status & Testimony</u></p> | <p>RELATING TO UTILITY POLES.
Prohibits public utilities from installing a new utility pole within ten feet of an existing utility pole; unless the original utility pole will be removed within ninety days of installing the new utility pole.</p> | <p>CPH</p> |
| <p><u>SB 738</u>
<u>Proposed SD1</u>
<u>Status & Testimony</u></p> | <p>RELATING TO HEALTH CARE PRACTITIONERS.
Expands the pool of orthodontists who are eligible to perform medically necessary orthodontic services for the treatment of certain orofacial anomalies for which health insurance coverage is mandatory. (Proposed SD1)</p> | <p>CPH</p> |

Copies of the proposed SD 1 are available from the Senate Document Center and on the Legislature's website:
www.capitol.hawaii.gov.

Decision Making to follow, if time permits.

Click [here](#) to submit testimony.

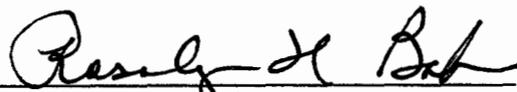
Testimony may be submitted up to 24 hours prior to the start of the hearing.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.



If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808)586-6070.



Senator Rosalyn H. Baker
Chair

