

MAR 08 2019

SENATE RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL
EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE
FOR CLINICAL VICTIM SUPPORT SERVICES FOR VICTIMS OF SEXUAL
VIOLENCE AND ABUSE.

1 WHEREAS, sexual violence and abuse are extremely prevalent
2 in the United States; and
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4 WHEREAS, sexual violence and abuse can have severe and
5 lasting emotional and mental health impacts on victims; and
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7 WHEREAS, clinical victim support services are a
8 professional intervention conducted by a qualified mental health
9 services provider to identify needs and assist in obtaining
10 coordinated, appropriate services and resources for a victim of
11 sexual violence and abuse in order to curtail or prevent the
12 progression and worsening of mental disorders and associated
13 functional impairments caused, in whole or in part, by sexual
14 violence and abuse; and
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16 WHEREAS, many victims of sexual violence and abuse require
17 clinical victim support services by qualified mental health
18 services providers in addition to psychotherapy in order to
19 effectively manage mental health conditions related to sexual
20 violence and abuse; and
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22 WHEREAS, clinical victim support services are not generally
23 covered by health insurers; and
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25 WHEREAS, the treatment of clinical victim support services
26 as a non-reimbursable expense by health insurers discourages
27 qualified mental health services providers from accepting
28 victims of sexual violence as patients, and is a significant
29 barrier to sufficient provider availability; and



1 WHEREAS, section 23-51, Hawaii Revised Statutes, requires
2 that "[b]efore any legislative measure that mandates health
3 insurance coverage for specific health services, specific
4 diseases, or certain providers of health care services as part
5 of individual or group health insurance policies, can be
6 considered, there shall be concurrent resolutions passed
7 requesting the auditor to prepare and submit to the legislature
8 a report that assesses both the social and financial effects of
9 the proposed mandated coverage"; and

10
11 WHEREAS, section 23-51, Hawaii Revised Statutes, further
12 provides that "[t]he concurrent resolutions shall designate a
13 specific legislative bill that:

- 14
15 (1) Has been introduced in the legislature; and
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17 (2) Includes, at a minimum, information identifying the:
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19 (A) Specific health service, disease, or provider
20 that would be covered;
21
22 (B) Extent of the coverage;
23
24 (C) Target groups that would be covered;
25
26 (D) Limits on utilization, if any; and
27
28 (E) Standards of care"; and
29

30 WHEREAS, section 23-52, Hawaii Revised Statutes, further
31 specifies the minimum information required for assessing the
32 social and financial impact of the proposed health coverage
33 mandate in the Auditor's report; and
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35 WHEREAS, H.B. No. 484 has been introduced during the
36 Regular Session of 2019 and mandates health insurers to provide
37 coverage for clinical victim support services, beginning January
38 1, 2020; and
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40 WHEREAS, the Legislature believes that an analysis of the
41 social and financial impacts of the insurance coverage of



1 clinical victim support services in H.B. No. 484 is warranted;
2 and
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4 WHEREAS, the Legislature also believes that mandatory
5 coverage for clinical victim support services for victims of
6 sexual violence and abuse, as provided in H.B. No. 484, Regular
7 Session of 2019, will substantially reduce illness and help
8 victims of sexual violence and abuse in Hawaii to lead full,
9 productive lives; now, therefore,
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11 BE IT RESOLVED by the Senate of the Thirtieth Legislature
12 of the State of Hawaii, Regular Session of 2019, that the
13 Auditor is requested to conduct an assessment, pursuant to
14 sections 23-51 and 23-52, Hawaii Revised Statutes, of the social
15 and financial effects of mandating health insurers to provide
16 coverage for clinical victim support services for victims of
17 sexual violence and abuse effective January 1, 2020, as provided
18 in H.B. No. 484, Regular Session of 2019; and
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20 BE IT FURTHER RESOLVED that in conducting the assessment,
21 the Auditor is requested to consider the following definition of
22 clinical victim support services: "a professional intervention
23 conducted by a qualified mental health provider to identify
24 needs and assist in obtaining coordinated, appropriate services
25 and resources for a victim of sexual violence and abuse in order
26 to curtail or prevent the progression and worsening of mental
27 disorders and associated functional impairments caused, in whole
28 or in part, by the sexual violence and abuse, including
29 coordinating with other health care providers, such as primary
30 care physicians, behavioral and mental health care providers,
31 and hospitals; assisting victims of sexual violence and abuse in
32 obtaining appropriate government entitlements, access, insurance
33 coverage, and other appropriate programs and services offered by
34 government agencies and community organizations; and
35 coordinating with schools, employers, and other individuals and
36 entities concerning a victim of sexual violence and abuse"; and
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38 BE IT FURTHER RESOLVED that the Auditor is requested to
39 consult with qualified mental health services providers who
40 treat victims of sexual violence and abuse in every county, such
41 as the Sex Abuse Treatment Center, which is a program of
42 Kapiolani Medical Center for Women and Children, and other



1 practicing mental health services providers in the community;
2 and

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4 BE IT FURTHER RESOLVED that the Auditor is requested to
5 submit its findings and recommendations, including any proposed
6 legislation, to the Legislature, no later than twenty days prior
7 to the convening of the Regular Session of 2020; and

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9 BE IT FURTHER RESOLVED that certified copies of this
10 Resolution be transmitted to the Auditor and to the Insurance
11 Commissioner, who in turn is requested to transmit copies to
12 each insurer in the State that issues health insurance policies,
13 contracts, plans, or agreements.

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16 OFFERED BY:

Randy H. Burr
Kurt Fendler
[Signature]
[Signature]
[Signature]

