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**Testimony of the Department of Commerce and Consumer Affairs
Before the
Senate Committee on Commerce, Consumer Protection, and Health
Wednesday, February 19, 2020
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
S.B. 2439, RELATING TO HEALTH INSURANCE**

Chair Baker and Members of the Committee:

My name is Colin Hayashida, and I am the Insurance Commissioner of the Department of Commerce and Consumer Affairs' (Department) Insurance Division. The Department offers comments on this bill.

The purpose of this bill is to require insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine for insured persons eighteen years of age or younger, beginning January 1, 2021.

The Department is in the process of establishing contact with the federal Department of Health and Human Services (HHS) to seek guidance on state-required benefits. The HHS recently proposed rulemaking to the Patient Protection and Affordable Care Act (PPACA) that addresses states' defrayment. The HHS proposed rule would require states to annually report to HHS "any state-required benefits

applicable to the individual and/or small group market that are considered in addition to [the essential health benefits.]”¹

Section 1 of the bill on page 1, lines 5 to 9; section 2 on page 2, lines 12 to 16; section 3 on page 3, lines 15 to 20; and section 4 on page 5, line 5 require coverage for auto-injectable epinephrine for individuals under eighteen years of age.

Hawaii Revised Statutes section 23-51 provides in part that “[b]efore any legislative measure that mandates health insurance coverage for specific health services, specific diseases, or certain providers of health care services as part of individual or group health insurance policies, can be considered, there shall be concurrent resolutions passed requesting the auditor to prepare and submit to the legislature a report[.]”

Thank you for the opportunity to testify on this bill.

¹ See Notice of Benefit and Payment Parameters for 2021; Notice Requirement for Non-Federal Governmental Plans (HHS Notice). This document was published on February 6, 2020 and has a comment period that ends on March 2, 2020. The PDF version is available at: <https://www.federalregister.gov/documents/2020/02/06/2020-02021/benefit-and-payment-parameters-notice-requirement-for-non-federal-governmental-plans>.

SB-2439

Submitted on: 2/17/2020 1:57:38 PM

Testimony for CPH on 2/19/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Rynette Keen	Individual	Support	No

Comments:

Aloha mai Kakou:

I am writing to support SB2439, that would require insurers, mutual benefit societies, and health maintenance organizations to provide coverage for the cost of auto-injectable epinephrine for insured persons eighteen years of age or younger, beginning 1/1/2021

As a person that requires these medications to ensure that I do not die from anaphylaxis, I cannot stress the importance of this medication to be made available to children that are in need of such medication. I firmly ask that you vote in favor of this measure.

Thank you in advance for your time and consideration.

Mahalo,

Rynette K. Keen, AA, BSW-Student

University of Hawaii-Manoa

Myron B. Thompson School of Social Work