STAND. COM. REP. NO.

507

Honolulu, Hawaii FEB 19 , 2021

RE: H.B. No. 285 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 285, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to require the Auditor to conduct an impact assessment report on the social and financial impacts of prohibiting health insurance companies from denying coverage for certain types of health care treatments on the basis of gender identity if the policy, contract, plan, or agreement covers those treatments for purposes other than gender transition.

Your Committee received testimony in support of this measure from the LGBT Caucus of the Democratic Party of Hawai'i, Kaiser Permanente Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, American Civil Liberties Union of Hawai'i, and nine individuals.

Your Committee finds that the health insurance law should afford transgender and non-binary persons the same dignity as afforded to cisgender persons. Yet health insurance policies often cover gender-conforming treatments, such as feminizing or masculinizing hormone therapies, for other purposes, but deny



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coverage of these therapies when sought by transgender persons for the purposes of gender affirmation. This measure will assess the impacts of mandatory coverage of certain gender-affirming treatments prior to its enactment as is the practice when proposing mandated health insurance coverage for specific health coverage.

Your Committee notes that, per the testimony of the Insurance Commissioner before your Committee, the contents of the Auditor's impact assessment report should include, among other things, an actuarial analysis of the effect this measure would have on insurance premiums and the cost of any defrayals the State may be liable for in the future.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 285, H.D. 1, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,



State of Hawaii House of Representatives The Thirty-first Legislature HSCR 507

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:Committee Referral:Date:HB 285 HDIHHH, CPC, JHA2/16/2021				
 The committee is reconsidering its previous decision on the measure. The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit) 				
1. JOHANSON, Aaron Ling (C)	\checkmark			
2. KITAGAWA, Lisa (VC)			tarik (1914) u	
3. AQUINO, Henry J.C.				
4. HAR, Sharon E.				
5. HASHEM, Mark J.			y na siya siya siya siya siya siya siya siy	
6. KONG, Sam Satoru			n an na she an annan sa far taibin a fala <u>a ay an</u> an an	
7. MIZUNO, John M.	↓ Y			
			د. میران و در میداد کماندانه	
8. MORIKAWA, Dee	Y			
9. ONISHI, Richard H.K.				
10. TARNAS, David A.				
11. MATSUMOTO, Lauren		<u>er an </u>	and the second	
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TOTAL (11)	10	0	0	1
The recommendation is: 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				