

---

---

# HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A SOCIAL AND FINANCIAL  
ASSESSMENT OF PROPOSED MANDATORY HEALTH INSURANCE COVERAGE  
FOR EARLY ACCESS BREAST CANCER SCREENING.

1           WHEREAS, there is ample data showing annual mammographic  
2 screening significantly reduces breast cancer deaths and  
3 morbidity and that effective screening programs are in the best  
4 interest of Hawaii and its people; and

5  
6           WHEREAS, the United States Preventive Services Task Force  
7 (USPSTF) guidelines for screening policies and practice for  
8 breast cancer does not recommend screening for women before age  
9 fifty, except for women in their forties with a family member  
10 with breast cancer; and

11  
12           WHEREAS, however, research has confirmed an earlier peak  
13 age of diagnosis of breast cancer in Asian, Hispanic, and  
14 African-American women before age fifty; and

15  
16           WHEREAS, Hawaii Surveillance, Epidemiology, and End Results  
17 data presented by Dr. Barbara Hernandez of the University of  
18 Hawaii Cancer Research Center shows that women of Asian ancestry  
19 in Hawaii are the ethnic group most likely to develop breast  
20 cancer before the age of fifty; and

21  
22           WHEREAS, women in Hawaii between the ages of forty and  
23 forty-nine have higher incidence of breast cancer compared to  
24 the national average; and

25  
26           WHEREAS, Native Hawaiian women have the greatest breast  
27 cancer incidence and mortality in Hawaii; and

28  
29           WHEREAS, nationally; half of all fatal cancers are  
30 diagnosed in women before age fifty in the general population;  
31 and



1  
2 WHEREAS, implementation of the USPSTF guidelines would  
3 disproportionately and adversely impact minority women; and  
4

5 WHEREAS, section 23-51, Hawaii Revised Statutes, requires  
6 that "[b]efore any legislative measure that mandates health  
7 insurance coverage for specific health services, specific  
8 diseases, or certain providers of health care services as part  
9 of individual or group health insurance policies, can be  
10 considered, there shall be concurrent resolutions passed  
11 requesting the auditor to prepare and submit to the legislature  
12 a report that assesses both the social and financial effects of  
13 the proposed mandated coverage"; and  
14

15 WHEREAS, section 23-51, Hawaii Revised Statutes, further  
16 provides that "[t]he concurrent resolutions shall designate a  
17 specific legislative bill that:  
18

- 19 (1) Has been introduced in the legislature; and  
20  
21 (2) Includes, at a minimum, information identifying the:  
22  
23 (A) Specific health service, disease, or provider  
24 that would be covered;  
25  
26 (B) Extent of the coverage;  
27  
28 (C) Target groups that would be covered;  
29  
30 (D) Limitations on utilization, if any; and  
31  
32 (E) Standards of care.  
33

34 For purposes of this part, mandated health insurance coverage  
35 shall not include mandated optionals."; and  
36

37 WHEREAS, section 23-52, Hawaii Revised Statutes, further  
38 specifies the minimum information required for assessing the  
39 social and financial impact of the proposed health coverage  
40 mandate in the State Auditor's report; and  
41

42 WHEREAS, Senate Bill No. 827, S.D. 2, introduced in the  
43 Regular Session of 2021, proposes to expand existing mandated  
44 breast cancer screening health insurance coverage to include:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43

(1) A baseline mammogram for women age thirty-five to thirty-nine;

(2) An annual mammogram for women age thirty to fifty deemed to have an above-average risk for breast cancer; and

(3) Any additional supplemental imaging deemed medically necessary by an applicable American College of Radiology guideline for women of any age; and

WHEREAS, the Legislature believes that expanding existing mandatory health insurance coverage for breast cancer screening to include baseline mammograms for women between the ages of thirty-five and thirty-nine will increase the likelihood of early identification of breast cancer and save lives; now, therefore,

BE IT RESOLVED by the House of Representatives of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2022, the Senate concurring, that the Auditor is requested to conduct an impact assessment report in accordance with sections 23-51 and 23-52, Hawaii Revised Statutes, of mandating health insurance coverage for early access breast cancer screening as proposed by Senate Bill No. 827, S.D. 2 (Regular Session of 2021); and

BE IT FURTHER RESOLVED that the Auditor is further requested to include in its assessment the impact of section 1311(d)(3) of the federal Patient Protection and Affordable Care Act (PPACA) on Senate Bill No. 827, S.D.2, or similar legislation, that includes but is not limited to the additional cost of any benefits beyond the essential health benefits of Hawaii's qualified health plans under the PPACA; and

BE IT FURTHER RESOLVED that the Auditor is also requested to determine how many qualified health plans are available in Hawaii, including plans offered by health maintenance organizations; the individual or group enrollment in these plans; and the actuarial cost of the defrayment to the State for early breast cancer screening; and



1 BE IT FURTHER RESOLVED that the Auditor is requested to  
2 submit a report on the Auditor's findings and recommendations,  
3 including any proposed legislation, to the Legislature no later  
4 than twenty days prior to the convening of the Regular Session  
5 of 2023; and

6  
7 BE IT FURTHER RESOLVED that certified copies of this  
8 Concurrent Resolution be transmitted to the Auditor and  
9 Insurance Commissioner, who is requested to transmit copies to  
10 each insurer in the State that issues health insurance policies.

