



GOV. MSG. NO. 1141

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 1, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 1, 2023, the following bill was signed into law:

SB1315 SD2 HD1

RELATING TO THE HAWAII EMPLOYER-UNION
HEALTH BENEFITS TRUST FUND MEDICARE
PART B PREMIUM REIMBURSEMENT.
ACT 041

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 1 2023

THE SENATE
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

S.B. NO. 1315
S.D. 2
H.D. 1

A BILL FOR AN ACT

RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
MEDICARE PART B PREMIUM REIMBURSEMENT.

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

1 SECTION 1. The legislature finds that the State and
2 counties reimburse retirees and their spouses medicare part B
3 premiums including income-related monthly adjustment amounts
4 (IRMAA). An IRMAA is added to the monthly medicare part B
5 standard premium amount of \$170.10 for 2022 if the retiree's
6 annual federal tax return income two years prior was over a
7 certain threshold. The IRMAA is assessed on retirees with 2020
8 federal tax return modified adjusted gross income of greater
9 than \$91,000 and \$182,000 for single and joint filers,
10 respectively. This threshold is adjusted annually for
11 inflation. The State's approximate annual medicare part B
12 premium reimbursement is \$98,000,000 of which approximately
13 \$8,500,000 is the IRMAA.

14 The Hawaii employer-union health benefits trust fund
15 estimates elimination of reimbursement of IRMAA for new hires on
16 or after July 1, 2023, will reduce future state annual required



1 contributions by \$400,000,000 over a thirty-year period.
2 Current retirees; vested, terminated employees; and current
3 employees will not be impacted by this Act.

4 Accordingly, the purpose of this Act is to eliminate the
5 reimbursements for income-related monthly adjustment amounts for
6 new hires on or after July 1, 2023, and their spouses.

7 SECTION 2. Section 87A-23, Hawaii Revised Statutes, is
8 amended to read as follows:

9 **"§87A-23 Health benefits plan supplemental to medicare.**

10 The board shall establish a health benefits plan, which takes
11 into account benefits available to an employee-beneficiary and
12 spouse under medicare, subject to the following conditions:

13 (1) There shall be no duplication of benefits payable
14 under medicare. The plan under this section, which
15 shall be secondary to medicare, when combined with
16 medicare and any other plan to which the health
17 benefits plan is subordinate under the National
18 Association of Insurance Commissioners' coordination
19 of benefit rules, shall provide benefits that
20 approximate those provided to a similarly situated
21 beneficiary not eligible for medicare;



1 (2) The State, through the department of budget and
2 finance, and the counties, through their respective
3 departments of finance, shall pay to the fund a
4 contribution equal to an amount not less than the
5 medicare part B premium, excluding medicare
6 income-related monthly adjustment amounts for a
7 retired employee hired after June 30, 2023, and their
8 spouse, for each of the following who are enrolled in
9 the medicare part B medical insurance plan: (A) an
10 employee-beneficiary who is a retired employee, (B) an
11 employee-beneficiary's spouse while the
12 employee-beneficiary is living, and (C) an
13 employee-beneficiary's spouse, after the death of the
14 employee-beneficiary, if the spouse qualifies as an
15 employee-beneficiary. [~~For purposes of this section,~~
16 ~~a "retired employee" means retired members of the~~
17 ~~employees' retirement system; county pension system;~~
18 ~~or a police, firefighters, or bandsmen pension system~~
19 ~~of the State or a county as set forth in chapter 88.]
20 If the amount reimbursed by the fund under this
21 section is less than the actual cost of the medicare~~



1 part B medical insurance plan, excluding medicare
2 income-related monthly adjustment amounts for a
3 retired employee hired after June 30, 2023, and their
4 spouse, due to an increase in the medicare part B
5 medical insurance plan rate, the fund shall reimburse
6 each employee-beneficiary and employee-beneficiary's
7 spouse for the cost increase within thirty days of the
8 rate change. Each employee-beneficiary and
9 employee-beneficiary's spouse who becomes entitled to
10 reimbursement from the fund for medicare part B
11 premiums after July 1, 2006, shall designate a
12 financial institution account into which the fund
13 shall be authorized to deposit reimbursements. This
14 method of payment may be waived by the fund if another
15 method is determined to be more appropriate[?]. For
16 purposes of this section, a "retired employee" means
17 retired members of the employees' retirement system;
18 county pension system; or a police, firefighters, or
19 bandsmen pension system of the State or a county as
20 set forth in chapter 88;



1 (3) The benefits available under this plan, when combined
2 with benefits available under medicare or any other
3 coverage or plan to which this plan is subordinate
4 under the National Association of Insurance
5 Commissioners' coordination of benefit rules, shall
6 approximate the benefits that would be provided to a
7 similarly situated employee-beneficiary not eligible
8 for medicare;

9 (4) All employee-beneficiaries or dependent-beneficiaries
10 who are eligible to enroll in the medicare part B
11 medical insurance plan shall enroll in that plan as a
12 condition of receiving contributions and participating
13 in benefits plans under this chapter. This paragraph
14 shall apply to retired employees, their spouses, and
15 the surviving spouses of deceased retirees and
16 employees killed in the performance of duty; and

17 (5) The board shall determine which of the
18 employee-beneficiaries and dependent-beneficiaries,
19 who are not enrolled in the medicare part B medical
20 insurance plan, may participate in the plans offered
21 by the fund."



1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

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

6 SECTION 5. This Act shall take effect on July 1, 2023.

APPROVED this 1st day of June, 2023



GOVERNOR OF THE STATE OF HAWAII



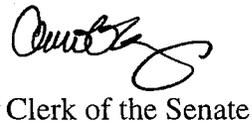
THE SENATE OF THE STATE OF HAWAI'I

Date: April 19, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.



President of the Senate



Clerk of the Senate

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: April 6, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives