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# A BILL FOR AN ACT

RELATING TO TITLE 24, HAWAII REVISED STATUTES.

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

1           SECTION 1. Section 431:10A-116, Hawaii Revised Statutes,  
2 is amended to read as follows:

3           "**§431:10A-116 Coverage for specific services.** Every  
4 person insured under a policy of accident and health or sickness  
5 insurance delivered or issued for delivery in this State shall  
6 be entitled to the reimbursements and coverages specified below:

7           (1) Notwithstanding any provision to the contrary,  
8           whenever a policy, contract, plan, or agreement  
9           provides for reimbursement for any visual or  
10          optometric service [~~which~~] that is within the lawful  
11          scope of practice of a duly licensed optometrist, the  
12          person entitled to benefits or the person performing  
13          the services shall be entitled to reimbursement  
14          whether the service is performed by a licensed  
15          physician or by a licensed optometrist. Visual or  
16          optometric services shall include eye or visual  
17          examination, or both, or a correction of any visual or  
18          muscular anomaly, and the supplying of ophthalmic

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1 materials, lenses, contact lenses, spectacles,  
2 eyeglasses, and appurtenances thereto;

3 (2) Notwithstanding any provision to the contrary, for all  
4 policies, contracts, plans, or agreements issued on or  
5 after May 30, 1974, whenever provision is made for  
6 reimbursement or indemnity for any service related to  
7 surgical or emergency procedures [~~which~~] that is  
8 within the lawful scope of practice of any  
9 practitioner licensed to practice medicine in this  
10 State, reimbursement or indemnification under the  
11 policy, contract, plan, or agreement shall not be  
12 denied when the services are performed by a dentist  
13 acting within the lawful scope of the dentist's  
14 license;

15 (3) Notwithstanding any provision to the contrary,  
16 whenever the policy provides reimbursement or payment  
17 for any service [~~which~~] that is within the lawful  
18 scope of practice of a psychologist licensed in this  
19 State, the person entitled to benefits or performing  
20 the service shall be entitled to reimbursement or  
21 payment, whether the service is performed by a  
22 licensed physician or licensed psychologist;

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(4) Notwithstanding any provision to the contrary, each policy, contract, plan, or agreement issued on or after February 1, 1991, except for policies that only provide coverage for specified diseases or other limited benefit coverage, but including policies issued by companies subject to chapter 431, article 10A, part II, and chapter 432, article 1, shall provide coverage for screening by low-dose mammography for occult breast cancer as follows:

- (A) For women forty years of age and older, an annual mammogram; and
- (B) For a woman of any age with a history of breast cancer or whose mother or sister has had a history of breast cancer, a mammogram upon the recommendation of the woman's physician.

The services provided in this paragraph are subject to any coinsurance provisions that may be in force in these policies, contracts, plans, or agreements [-]; provided that the insured's dollar limits, deductibles, and copayments for services shall



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1 notice to the insurer of the insured's  
2 intent to adopt the child prior to the  
3 child's date of birth or within thirty days  
4 after the child's birth or within the time  
5 period required for enrollment of a natural  
6 born child under the policy, contract, plan,  
7 or agreement of the insured, whichever  
8 period is longer; provided further that if  
9 the adoption proceedings are not successful,  
10 the insured shall reimburse the insurer for  
11 any expenses paid for the child; and

12 (ii) Where notification has not been received by  
13 the insurer prior to the child's birth or  
14 within the specified period following the  
15 child's birth, insurance coverage shall be  
16 effective from the first day following the  
17 insurer's receipt of legal notification of  
18 the insured's ability to consent for  
19 treatment of the infant for whom coverage is  
20 sought; and

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1 (B) When the insured is a member of a health  
2 maintenance organization, coverage of an adopted  
3 newborn is effective:

4 (i) From the date of birth of the adopted  
5 newborn when the newborn is treated from  
6 birth pursuant to a provider contract with  
7 the health maintenance organization, and  
8 written notice of enrollment in accord with  
9 the health maintenance organization's usual  
10 enrollment process is provided within thirty  
11 days of the date the insured notifies the  
12 health maintenance organization of the  
13 insured's intent to adopt the infant for  
14 whom coverage is sought; or

15 (ii) From the first day following receipt by the  
16 health maintenance organization of written  
17 notice of the insured's ability to consent  
18 for treatment of the infant for whom  
19 coverage is sought and enrollment of the  
20 adopted newborn in accord with the health  
21 maintenance organization's usual enrollment  
22 process if the newborn has been treated from

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1 birth by a provider not contracting or  
2 affiliated with the health maintenance  
3 organization."

4 SECTION 2. Section 432:1-605, Hawaii Revised Statutes, is  
5 amended by amending subsection (b) to read as follows:

6 "(b) The services provided in subsection (a) are subject  
7 to any coinsurance provisions that may be in force in these  
8 policies, contracts, plans, or agreements[-]; provided that the  
9 member's dollar limits, deductibles, and copayments for services  
10 shall be on terms at least as favorable to the member as those  
11 applicable to other radiological examinations."

12 SECTION 3. Section 432E-34, Hawaii Revised Statutes, is  
13 amended as follows:

14 1. By amending subsection (d) to read:

15 "~~(d) [Upon receipt of a request for appeal pursuant to~~  
16 ~~subsection (c), the commissioner shall review the request for~~  
17 ~~external review submitted by the enrollee pursuant to subsection~~  
18 ~~(a), determine whether an enrollee is eligible for external~~  
19 ~~review and, if eligible, shall refer the enrollee to external~~  
20 ~~review. The commissioner's determination of eligibility for~~  
21 ~~external review shall be made in accordance with the terms of~~  
22 ~~the enrollee's health benefit plan and all applicable provisions~~

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1 ~~of this part. If an enrollee is not eligible for external~~  
2 ~~review, the commissioner shall notify the enrollee, the~~  
3 ~~enrollee's appointed representative, and the health carrier~~  
4 ~~within three business days of the reason for ineligibility.]~~

5       (1) The commissioner may determine that a request is  
6       eligible for external review under subsection (b)  
7       notwithstanding a health carrier's initial  
8       determination that the request is ineligible and  
9       require that it be referred for external review; and  
10       (2) In making a determination under paragraph (1), the  
11       commissioner's decision shall be made in accordance  
12       with the terms of the enrollee's health benefit plan  
13       and shall be subject to all applicable provisions of  
14       this chapter."

15       2. By amending subsection (g) to read:

16       "(g) Within five business days after the date of receipt  
17 of notice pursuant to subsection (e), the health carrier or its  
18 designated utilization review organization shall provide to the  
19 assigned independent review organization all documents and  
20 information it considered in issuing the adverse action that is  
21 the subject of external review[-] and any documents related to  
22 the request for external review that have been received by the

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1 health carrier or its designated utilization review  
2 organization. Failure by the health carrier or its utilization  
3 review organization to provide the documents and information  
4 within five business days shall not delay the conduct of the  
5 external review; provided that the assigned independent review  
6 organization may terminate the external review and reverse the  
7 adverse action that is the subject of the external review. The  
8 independent review organization shall notify the enrollee, the  
9 enrollee's appointed representative, the health carrier, and the  
10 commissioner within three business days of the termination of an  
11 external review and reversal of an adverse action pursuant to  
12 this subsection."

13 SECTION 4. Section 432E-35, Hawaii Revised Statutes, is  
14 amended by amending subsections (b) through (f) to read as  
15 follows:

16 "(b) Upon receipt of a request for an expedited external  
17 review, the commissioner shall immediately send a copy of the  
18 request to the health carrier. Immediately upon receipt of the  
19 request, the health carrier shall determine whether the request  
20 meets the reviewability requirements set forth in [~~subsection~~  
21 ~~(a)-.] section 432E-34(b). The health carrier shall immediately  
22 notify the enrollee or the enrollee's appointed representative~~

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1 of its determination of the enrollee's eligibility for expedited  
2 external review.

3 Notice of ineligibility for expedited external review shall  
4 include a statement informing the enrollee and the enrollee's  
5 appointed representative that a health carrier's initial  
6 determination that an external review request that is ineligible  
7 for review may be appealed to the commissioner by submission of  
8 a request to the commissioner.

9 (c) ~~[Upon receipt of a request for appeal pursuant to  
10 subsection (b), the commissioner shall review the request for  
11 expedited external review submitted pursuant to subsection (a)  
12 and, if eligible, shall refer the enrollee for external review.  
13 The commissioner's determination of eligibility for expedited  
14 external review shall be made in accordance with the terms of  
15 the enrollee's health benefit plan and all applicable provisions  
16 of this part. If an enrollee is not eligible for expedited  
17 external review, the commissioner shall immediately notify the  
18 enrollee, the enrollee's appointed representative, and the  
19 health carrier of the reasons for ineligibility.]~~

20 (1) The commissioner may determine that a request is  
21 eligible for expedited external review under  
22 subsection (b) notwithstanding a health carrier's

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1           initial determination that the request is ineligible  
2           and require that it be referred for external review;  
3           and

4           (2) In making a determination under paragraph (1), the  
5           commissioner's decision shall be made in accordance  
6           with the terms of the enrollee's health benefit plan  
7           and shall be subject to all applicable provisions of  
8           this chapter.

9           (d) If the commissioner determines that an enrollee is  
10          eligible for expedited external review [~~even though the enrollee~~  
11          ~~has not exhausted the health carrier's internal review process,~~]  
12          pursuant to subsection (c) and the request for expedited  
13          external review is based on an adverse determination as provided  
14          under subsection (a) (1), the health carrier shall not be  
15          required to proceed with its internal review process [~~—The~~  
16          ~~health carrier]~~ but may elect to proceed with its internal  
17          review process [~~even though the request is determined by the~~  
18          ~~commissioner to be eligible for expedited external review]~~ ;  
19          provided that the internal review process shall not delay or  
20          terminate an expedited external review unless the health carrier  
21          decides to reverse its adverse determination and provide  
22          coverage or payment for the health care service that is the

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1 subject of the adverse determination. Immediately after making  
2 a decision to reverse its adverse determination, the health  
3 carrier shall notify the enrollee, the enrollee's authorized  
4 representative, the independent review organization assigned  
5 pursuant to subsection (e), and the commissioner in writing of  
6 its decision. The assigned independent review organization  
7 shall terminate the expedited external review upon receipt of  
8 notice from the health carrier pursuant to this subsection.

9 (e) Upon receipt of the notice pursuant to subsection (b)  
10 or a determination of the commissioner pursuant to subsection  
11 [~~(d)~~] (c) that the enrollee meets the eligibility requirements  
12 for expedited external review, the commissioner shall  
13 immediately randomly assign an independent review organization  
14 to conduct the expedited external review from the list of  
15 approved independent review organizations qualified to conduct  
16 the external review, based on the nature of the health care  
17 service that is the subject of the adverse action and other  
18 factors determined by the commissioner including conflicts of  
19 interest pursuant to section 432E-43, compiled and maintained by  
20 the commissioner to conduct the external review and immediately  
21 notify the health carrier of the name of the assigned  
22 independent review organization.

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1 (f) Upon receipt of the notice from the commissioner of  
2 the name of the independent review organization assigned to  
3 conduct the expedited external review, the health carrier or its  
4 designee utilization review organization shall provide or  
5 transmit all documents and information it considered in making  
6 the adverse action that is the subject of the expedited external  
7 review, and any documents related to the request for expedited  
8 external review that have been received by the health carrier or  
9 its designated utilization review organization, to the assigned  
10 independent review organization electronically or by telephone,  
11 facsimile, or any other available expeditious method."

12 SECTION 5. Section 432E-36, Hawaii Revised Statutes, is  
13 amended as follows:

14 1. By amending subsections (c) through (g) to read:

15 "(c) Upon notice of the request for expedited external  
16 review, the health carrier shall immediately determine whether  
17 the request meets the requirements of subsection [~~(b)~~] (g).

18 The health carrier shall immediately notify the commissioner,  
19 the enrollee, and the enrollee's appointed representative of its  
20 eligibility determination.

21 Notice of eligibility for expedited external review  
22 pursuant to this subsection shall include a statement informing

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1 the enrollee and, if applicable, the enrollee's appointed  
2 representative that a health carrier's initial determination  
3 that the external review request is ineligible for review may be  
4 appealed to the commissioner.

5 (d) ~~[Upon receipt of a request for appeal pursuant to  
6 subsection (c), the commissioner shall review the request for  
7 external review submitted by the enrollee pursuant to subsection  
8 (a), determine whether an enrollee is eligible for external  
9 review and, if eligible, shall refer the enrollee to external  
10 review. The commissioner's determination of eligibility for  
11 external review shall be made in accordance with the terms of  
12 the enrollee's health benefit plan and all applicable provisions  
13 of this part. If an enrollee is not eligible for external  
14 review, the commissioner shall notify the enrollee, the  
15 enrollee's appointed representative, and the health carrier of  
16 the reason for ineligibility within three business days.]~~

17 (1) The commissioner may determine that a request is  
18 eligible for external review under subsection (g)  
19 notwithstanding a health carrier's initial  
20 determination that the request is ineligible and  
21 require that it be referred for external review; and

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1       (2) In making a determination under paragraph (1), the  
2       commissioner's decision shall be made in accordance  
3       with the terms of the enrollee's health benefit plan  
4       and shall be subject to all applicable provisions of  
5       this chapter.

6       (e) Upon receipt of the notice pursuant to subsection  
7       ~~[(a)]~~ (c) or a determination of the commissioner pursuant to  
8       subsection (d) that the enrollee meets the eligibility  
9       requirements for expedited external review, the commissioner  
10      shall immediately randomly assign an independent review  
11      organization to conduct the expedited external review from the  
12      list of approved independent review organizations qualified to  
13      conduct the external review, based on the nature of the health  
14      care service that is the subject of the adverse action and other  
15      factors determined by the commissioner including conflicts of  
16      interest pursuant to section 432E-43, compiled and maintained by  
17      the commissioner to conduct the external review and immediately  
18      notify the health carrier of the name of the assigned  
19      independent review organization.

20      (f) Upon receipt of the notice from the commissioner of  
21      the name of the independent review organization assigned to  
22      conduct the expedited external review, the health carrier or its

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1 designee utilization review organization shall provide or  
2 transmit all documents and information it considered in making  
3 the adverse action that is the subject of the expedited external  
4 review, and any documents related to the request for expedited  
5 external review that have been received by the health carrier or  
6 its designated utilization review organization, to the assigned  
7 independent review organization electronically or by telephone,  
8 facsimile, or any other available expeditious method.

9 (g) Except for a request for an expedited external review  
10 made pursuant to subsection (b), within three business days  
11 after the date of receipt of the request, the commissioner shall  
12 notify the health carrier that the enrollee has requested an  
13 [~~expedited~~] external review pursuant to this section. Within  
14 five business days following the date of receipt of notice, the  
15 health carrier shall determine whether:

16 (1) The individual is or was an enrollee in the health  
17 benefit plan at the time the health care service or  
18 treatment was recommended or requested or, in the case  
19 of a retrospective review, was an enrollee in the  
20 health benefit plan at the time the health care  
21 service or treatment was provided;

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- 1           (2) The recommended or requested health care service or  
2           treatment that is the subject of the adverse action:  
3           (A) Would be a covered benefit under the enrollee's  
4           health benefit plan but for the health carrier's  
5           determination that the service or treatment is  
6           experimental or investigational for the  
7           enrollee's particular medical condition; and  
8           (B) Is not explicitly listed as an excluded benefit  
9           under the enrollee's health benefit plan;
- 10          (3) The enrollee's treating physician or treating advanced  
11          practice registered nurse has certified in writing  
12          that:  
13          (A) Standard health care services or treatments have  
14          not been effective in improving the condition of  
15          the enrollee;  
16          (B) Standard health care services or treatments are  
17          not medically appropriate for the enrollee; or  
18          (C) There is no available standard health care  
19          service or treatment covered by the health  
20          carrier that is more beneficial than the health  
21          care service or treatment that is the subject of  
22          the adverse action;

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1           (4) The enrollee's treating physician or treating advanced  
2 practice registered nurse:

3           (A) Has recommended a health care service or  
4 treatment that the physician or advanced practice  
5 registered nurse certifies, in writing, is likely  
6 to be more beneficial to the enrollee, in the  
7 physician's or advanced practice registered  
8 nurse's opinion, than any available standard  
9 health care services or treatments; or

10          (B) Who is a licensed, board certified or board  
11 eligible physician qualified to practice in the  
12 area of medicine appropriate to treat the  
13 enrollee's condition, or who is an advanced  
14 practice registered nurse qualified to treat the  
15 enrollee's condition, has certified in writing  
16 that scientifically valid studies using accepted  
17 protocols demonstrate that the health care  
18 service or treatment that is the subject of the  
19 adverse action is likely to be more beneficial to  
20 the enrollee than any available standard health  
21 care services or treatments;

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1           (5) The enrollee has exhausted the health carrier's  
2           internal appeals process or the enrollee is not  
3           required to exhaust the health carrier's internal  
4           appeals process pursuant to section 432E-33(b); and

5           (6) The enrollee has provided all the information and  
6           forms required by the commissioner that are necessary  
7           to process an external review, including the release  
8           form and disclosure of conflict of interest  
9           information as provided under section 432E-33(a)."

10          2. By amending subsection (i) to read:

11          "(i) ~~[Upon receipt of a request for appeal pursuant to~~  
12 ~~subsection (h), the commissioner shall review the request for~~  
13 ~~external review submitted pursuant to subsection (a) and, if~~  
14 ~~eligible, shall refer the enrollee for external review. The~~  
15 ~~commissioner's determination of eligibility for expedited~~  
16 ~~external review shall be made in accordance with the terms of~~  
17 ~~the enrollee's health benefit plan and all applicable provisions~~  
18 ~~of this part. If an enrollee is not eligible for external~~  
19 ~~review, the commissioner shall notify the enrollee, the~~  
20 ~~enrollee's appointed representative, and the health carrier of~~  
21 ~~the reasons for ineligibility within three business days.]~~

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1        (1) The commissioner may determine that a request is  
2        eligible for external review under subsection (g)  
3        notwithstanding a health carrier's initial  
4        determination that the request is ineligible and  
5        require that it be referred for external review; and  
6        (2) In making a determination under paragraph (1), the  
7        commissioner's decision shall be made in accordance  
8        with the terms of the enrollee's health benefit plan  
9        and shall be subject to all applicable provisions of  
10       this chapter."

11       3. By amending subsection (1) to read:

12       "(1) Within five business days after the date of receipt  
13 of notice pursuant to subsection (j), the health carrier or its  
14 designated utilization review organization shall provide to the  
15 assigned independent review organization all documents and  
16 information it considered in issuing the adverse action that is  
17 the subject of external review[-] and any documents related to  
18 the request for external review that have been received by the  
19 health carrier or its designated utilization review  
20 organization. Failure by the health carrier or its utilization  
21 review organization to provide the documents and information  
22 within five business days shall not delay the conduct of the

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1 external review; provided that the assigned independent review  
2 organization may terminate the external review and reverse the  
3 adverse action that is the subject of the external review. The  
4 independent review organization shall notify the enrollee, the  
5 enrollee's appointed representative, the health carrier, and the  
6 commissioner within three business days of the termination of an  
7 external review and reversal of an adverse action pursuant to  
8 this subsection."

9 4. By amending subsection (o) to read:

10 "(o) Except as provided in subsection (p), within twenty  
11 days after being selected to conduct the external review, a  
12 clinical reviewer shall provide an opinion to the assigned  
13 independent review organization pursuant to subsection (q)  
14 regarding whether the recommended or requested health care  
15 service or treatment subject to an appeal pursuant to this  
16 section shall be covered.

17 The clinical [+]reviewer's[+] opinion shall be in writing  
18 and shall include:

- 19 (1) A description of the enrollee's medical condition;  
20 (2) A description of the indicators relevant to  
21 determining whether there is sufficient evidence to  
22 demonstrate that the recommended or requested health

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1 care service or treatment is more likely than not to  
2 be more beneficial to the enrollee than any available  
3 standard health care services or treatments and  
4 whether the adverse risks of the recommended or  
5 requested health care service or treatment would not  
6 be substantially increased over those of available  
7 standard health care services or treatments;

8 (3) A description and analysis of any medical or  
9 scientific evidence, as that term is defined in  
10 section 432E-1.4, considered in reaching the opinion;

11 (4) A description and analysis of any medical necessity  
12 criteria defined in section 432E-1; and

13 (5) Information on whether the reviewer's rationale for  
14 the opinion is based on approval of the health care  
15 service or treatment by the federal Food and Drug  
16 Administration for the condition or medical or  
17 scientific evidence or evidence-based standards that  
18 demonstrate that the expected benefits of the  
19 recommended or requested health care service or  
20 treatment is likely to be more beneficial to the  
21 enrollee than any available standard health care  
22 services or treatments and the adverse risks of the

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1 recommended or requested health care service or  
2 treatment would not be substantially increased over  
3 those of available standard health care services or  
4 treatments."

5 5. By amending subsection (r) to read:

6 "(r) Except as provided in subsection (s), within twenty  
7 days after the date it receives the opinion of the clinical  
8 reviewer pursuant to subsection (o), the assigned independent  
9 review organization, in accordance with subsection (t), shall  
10 determine whether the health care service at issue in an  
11 external review pursuant to this section shall be a covered  
12 benefit and shall notify the enrollee, the enrollee's appointed  
13 representative, the health carrier, and the commissioner of its  
14 determination. The independent review organization shall  
15 include in the notice of its decision:

16 (1) A general description of the reason for the request  
17 for external review;

18 (2) The written opinion of each clinical reviewer,  
19 including the recommendation of each clinical reviewer  
20 as to whether the recommended or requested health care  
21 service or treatment should be covered and the  
22 rationale for the reviewer's recommendation;

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- 1           (3) The date the independent review organization was
- 2                   assigned by the commissioner to conduct the external
- 3                   [+]review[+];
- 4           (4) The date the external review was conducted;
- 5           (5) The date the decision was issued;
- 6           (6) The principal reason or reasons for its decision; and
- 7           (7) The rationale for its decision.

8           Upon receipt of a notice of a decision reversing the

9 adverse action, the health carrier immediately shall approve

10 coverage of the recommended or requested health care service or

11 treatment that was the subject of the adverse action."

12           SECTION 6. Statutory material to be repealed is bracketed

13 and stricken. New statutory material is underscored.

14           SECTION 7. This Act, upon its approval, shall take effect

15 on January 1, 2025.

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INTRODUCED BY: \_\_\_\_\_



BY REQUEST  
JAN 22 2024

# H.B. NO. 2393

**Report Title:**

Insurance; Health Insurance; External Review Procedure;  
Mammography

**Description:**

Provides amendments to external review procedures to improve consistency with the National Association of Insurance Commissioners Uniform Health Carrier External Review Model Act. Requires health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Commerce and Consumer Affairs

TITLE: A BILL FOR AN ACT RELATING TO TITLE 24,  
HAWAII REVISED STATUTES.

PURPOSE: To more closely conform the external review provisions in chapter 432E, part IV, Hawaii Revised Statutes (Part IV) with the Uniform Health Carrier External Review Model Act (Model Act); codify a base level of coverage for existing mammography coverage mandate.

MEANS: Amend sections 431:10A-116, 432:1-605(b), 432E-34(d) and (g), 432E-35(b) through (f), and 432E-36(c) through (g), (i), (l), (o), and (r), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Part IV of chapter 432E currently mandates that the Insurance Commissioner (Commissioner) review health carrier decisions that external review requests are not eligible for review under part IV, and provide notice of a decision within a very short time period (immediately or within three days depending on the situation), while the Model Act provides that the Commissioner has authority to determine that a request is eligible. This deviation from the Model Act interferes with Insurance Division staff's ability to perform other duties and requires the Commissioner to render decisions even where the available record is sparse or when underlying issues are inappropriate for the Commissioner to assess, especially within the context of an external review request, such as contract disputes between health carriers and providers. The burden of the existing deviation from the Model Act is additionally problematic because it potentially imposes no time limit for requesting an appeal, which mandates a definitive response from the Commissioner that a request either is or is not eligible for review within a very short time.

With respect to mammography, the existing mandates do not describe a baseline for benefits. This would give more clarity on coverage for mammography in the event of changes in federal coverage mandates.

Impact on the public: Individuals may continue to ask the Commissioner to review decisions by health carriers that external review requests are not eligible for external reviews under chapter 432E, part IV, HRS (Part IV); however, the Commissioner would not be obligated to render a yes or no decision immediately or within three business days. A base level of coverage for mammography services covered by health plans would be established.

Impact on the department and other agencies: This bill would permit the Commissioner to not render decisions under Part IV in situations where it is inappropriate, such as when the record is sparse or when a Part IV dispute is ancillary to a dispute that the Commissioner should not be adjudicating. It would also relieve Insurance Division staff from neglecting other duties during Part IV requests to review health carrier external review eligibility determinations and provide the Insurance Division with more clarity on coverage for mammography in the event of changes in federal coverage mandates.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: CCA-106.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: January 1, 2025.