

JOSH GREEN, M.D. GOVERNOR | KE KIA'ĀINA

**SYLVIA LUKE**LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

# STATE OF HAWAII | KA MOKUʻĀINA 'O HAWAIʻI OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS KA 'OIHANA PILI KĀLEPA

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### **Testimony of the Department of Commerce and Consumer Affairs**

Before the
House Committee on Consumer Protection and Commerce
Thursday, February 8, 2024
2:00 p.m.
State Capitol, Conference Room 329 and via Videoconference

## On the following measure: H.B. 1686 HD1, RELATING TO INSURANCE

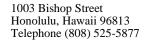
Chair Nakashima and Members of the Committee:

My name is Gordon Ito, 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 increase the reimbursement rate for chiropractic treatments for personal injury protection benefits under motor vehicle insurance from \$75 to \$100.

The existing law ensures that consumers injured in automobile accidents can seek a variety of treatments to aid in recovery from injuries. The HD 1 proposes to increase the reimburse from \$75 to \$100 per visit, which would be reasonable. However, it may lead to an increase in motor vehicle insurance premiums.

Thank you for the opportunity to testify.





Alison H. Ueoka President

#### **TESTIMONY OF ALISON UEOKA**

COMMITTEE ON CONSUMER PROTECTION & COMMERCE Representative Mark M. Nakashima, Chair Representative Jackson D. Sayama, Vice Chair

> Thursday, February 8, 2024 2:00 p.m.

## HB 1686, HD1

Chair Nakashima, Vice Chair Sayama, and members of the Committee on Consumer Protection & Commerce, my name is Alison Ueoka, President for Hawaii Insurers Council. The Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately forty percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council submits **comments** on this bill. HB 1686, HD1 increases the chiropractic reimbursement rate under motor vehicle insurance from \$75 per visit to \$100 per visit. This will increase the cost of motor vehicle insurance premiums which will compound a hard market where motor vehicle insurance premiums are already going up, mostly by double digits and are expected to continue on this trend for a few years. Higher motor insurance premiums may result in a higher number of uninsured motorists and is regressive, penalizing those who can least afford it.

Thank you for the opportunity to testify.

Submitted on: 2/6/2024 12:19:24 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Austin Koziol	Turning Point Chiropractic	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 2:02:47 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Joe Leonardi	Hawaii State Chiropractic Association	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 4:35:38 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
David Shapiro	Aloha family chiropractic	Support	Written Testimony Only

#### Comments:

I fully support HB No. 1686. In view of the fact that the authorized benefit for chiropractic treatments was capped in 1997 and has not been adjusted to reflect inflation and increases in the cost-of-living in over a quarter of a century, I find it entirely reasonable to request that benefits be tied to the Worker's Compensation supplemental medical fee schedule, as has been done with other medical professions in the state of Hawaii.

I also support the original language of HB 1686 and NOT the HD1. The charges should be tied to the STATE APPROVED WORKERS COMP SCHEDULE AND NOT FIXED at \$100.

Sincerely,

Dr. David Shapiro

Chiropractic Kinesiologist

Hilo, Hawaii

Submitted on: 2/6/2024 5:27:37 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Hunter Williams	Turning Point Chiropractic	Support	Written Testimony Only

#### Comments:

Submitted on: 2/7/2024 12:47:41 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
Jonah Carignan	Turning Point Chiropractic	Support	Written Testimony Only

Comments:

I support this bill.

Submitted on: 2/7/2024 5:52:34 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Jill Dawrs	Dr Jill Dawrs Family Chiropractic Clinic	Support	Written Testimony Only

#### Comments:

Submitted on: 2/7/2024 2:22:01 PM

Testimony for CPC on 2/8/2024 2:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Cody McKillip	Turning Point Chiropractic	Support	Written Testimony Only

#### Comments:

I am a healthcare professional, and I believe House Bill 1686 is a step in the right direction. By aligning charges for chiropractic treatments with the workers' compensation supplemental medical fee schedule, the bill promotes consistency and fairness in healthcare billing. This is a positive development for both providers and patients, fostering a more transparent and efficient healthcare system.

Submitted on: 2/7/2024 6:00:59 PM

Testimony for CPC on 2/8/2024 2:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Dean Shivvers	Hawaii state chiropractic association	Support	In Person

#### Comments:

Submitted on: 2/7/2024 8:43:49 PM Testimony for CPC on 2/8/2024 2:00:00 PM



Submitted By	Organization	<b>Testifier Position</b>	Testify
Peter Welch	HSCA	Support	Written Testimony Only

#### Comments:

Aloha. Small businesses, like mine, greatly appreciate House Bill 1686's focus on stabilizing healthcare costs. By tying charges to the workers' compensation schedule, this legislation supports the financial well-being of our workforce and contributes to a more robust local economy.

In good healh,

Dr. Peter welch D.C.

Submitted on: 2/6/2024 12:18:20 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Daina Ann Elvenia	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:18:56 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
julia velasco	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:19:10 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Katie Gillum	Individual	Support	Written Testimony Only

#### Comments:

Hawaii's distinction as having the nation's lowest chiropractic treatment fees is a matter of concern. House Bill 1686 addresses this anomaly, ensuring that our state maintains high standards in healthcare while acknowledging the unique economic landscape.

Submitted on: 2/6/2024 12:22:16 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Cory Wilson	Individual	Support	Written Testimony Only

#### Comments:

I am writing in support of this bill. I believe it will have a positive impact on the chiropractic profession and its patient base helping them get the best care possible. I also believe the original language of HB 1686 and NOT the HD1.

Submitted on: 2/6/2024 12:41:40 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Teresa Hernandez	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:41:43 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Scott Deane	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:43:47 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Kaichu	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:50:54 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Caitlyn Shivvers	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 12:57:30 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Shenice	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 1:02:49 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Julia Goodman	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 1:16:59 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Talyna	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 1:34:31 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Brooke Kubo	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 1:39:31 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Raya Keliinui	Individual	Support	Written Testimony Only

## Comments:

I SUPPORT due to everything that it supports

HB-1686-HD-1 Submitted on: 2/6/2024 1:40:00 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Chelsea Titus	Individual	Support	Written Testimony Only

Comments:

I support this bill.

Submitted on: 2/6/2024 1:44:55 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Danielle A Wilson	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 2:24:12 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
William Goodman	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 2:35:08 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
William Battles	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 2:45:54 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Kara Diaz	Individual	Support	Written Testimony Only

#### Comments:



Date: February 6, 2024

To: Representative Mark M. Nakashima, Chair

Representative Jackson D. Sayama, Vice Chair

Members of the Committee on Consumer Protection & Commerce

From: Rachel M. Klein, ND, DC, DACNB, FIBFN-CNDH

Re: HB1686 HD1, Relating to Insurance

February 8, 2024, at 2:00pm

**Position: SUPPORT with comments** 

As a dual licensed Chiropractor and Naturopathic Physician, I support this bill and would like to offer comments on the HD1 language. I run a small business which is an outpatient clinic in Hilo, on the Big Island, and have seen first-hand the impact of the restrictions currently in place for motor vehicle incident related healthcare insurance coverage.

I request that you restore the language to that of the original draft rather than the new language used in HD1, which creates a dollar amount restriction on patient care. Accidents and patient situations differ, and since each case is different, putting a universal limit on care is not in the best interest of the patients. We must trust our doctors, who are specialists in patient care, to determine the care needs for individual patients based on what is medically necessary in each case.

Additionally, aligning the reimbursement for care after motor vehicle accidents with the fee schedule for workman's compensation type cases will help to modernize the structure so that we may provide excellent care to our patients while still staying in business. This improvement would also help to tackle rising healthcare costs as many patients currently have to seek additional provider types because under the existing statute reimbursement for additional services beyond the current limit is not available from their chiropractic or naturopathic provider.

I ask that you support this measure and amend it back to its original version, thereby supporting increased access to healthcare for Hawai'i's patient population and a healthy local economy for our doctors in small businesses.

Thank you for your time and attention to this matter,

Dr. Rachel M. Klein

Packelly Khans

Submitted on: 2/6/2024 3:22:40 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Bryan Hoggatt	Individual	Support	Written Testimony Only

#### Comments:

I support this bill because Hawaii is behind the rest of the country with reimbursement rates for chiropractic care to personal injury cases. Improving reimbursement rates from insurance carriers to chiropractic physicians is a step in the right direction in providing the best care for our community.

Submitted on: 2/6/2024 3:28:12 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Christin Mahone	Individual	Support	Written Testimony Only

#### Comments:

I am a healthcare professional, and I believe House Bill 1686 is a step in the right direction. By aligning charges for chiropractic treatments with the workers' compensation supplemental medical fee schedule, the bill promotes consistency and fairness in healthcare billing. This is a positive development for both providers and patients, fostering a more transparent and efficient healthcare system.

Submitted on: 2/6/2024 3:56:29 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Brian Lim	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/6/2024 4:42:46 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Shannon Broderson	Individual	Support	Written Testimony Only

#### Comments:

I am wirting in support of this bill. I believe the fees should be tied to the Workers Compensation fee schedule instead of being a fixed flat rate. I also believe the original language of HB1686 is correct, not the newer proposed language of HD1.

Passing of this bill will allow patients to get the care theyu need and doctors to earn a fair and livable wage for the care they provide. These old fees have not been changed for many years and do not reflect the current economy and what it takes to survive in Hawaii considering the amount of student loans most practitioners have as well as the high tax burden on small business owners and the high cost of living. This is an important step in Hawaii being able to provide quality helath care for its community.

Submitted on: 2/6/2024 8:19:14 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Beannalyn Tedtaotao	Individual	Support	Written Testimony Only

#### Comments:

Having personally experienced the financial strain of medical bills, House Bill 1686 brings hope for a more stable healthcare system. By aligning charges with the workers' compensation schedule, this legislation promises relief for individuals like myself, who often face unpredictable costs.

Submitted on: 2/6/2024 9:28:22 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
Alice Ogawa	Individual	Support	Written Testimony Only

Comments:

I support HB1686

Mahalo

Alice Ogawa DC

Submitted on: 2/6/2024 11:45:32 PM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Dr TIMOTHY HALE HENDLIN	Individual	Support	Written Testimony Only

#### Comments:

As a licensed doctor since 1981 in the State of Hawaii, and a Big Island resident since 1987, I am writing in support of this bill. I believe it will have a positive impact on the chiropractic profession, and the states residents we serve, allowing the vast patient base to get the best care possible. I also believe the original language of HB 1686 and NOT the HD1. The charges should be tied to the STATE APPROVE WORKERS COMP SCHEDULE AND NOT THE FIXED \$100.

Mahalo,

Submitted on: 2/7/2024 5:57:11 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Karen Renee	Individual	Support	Written Testimony Only

#### Comments:

Submitted on: 2/7/2024 6:47:43 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

Submitted By	Organization	<b>Testifier Position</b>	Testify
Robert Klein	Individual	Support	Written Testimony Only

#### Comments:

I am writing in support of this bill.

This measure will have a positive impact for the consuming public seeking health services after an injury. It helps provide the best posssible care.

Chiropractic has been long accepted as the best, most cost efficient way to care for injury cases. Excessive restrictions on payment for these services deprives the public of their choice to get the care their insurance should provide.

Please approve the ORIGINAL VERSION of HB 1686 and NOT the HD1 version. As with other insurance, fees should be tied to the state approved fee schedule for workers' compensation rather than any arbitrary fixed dollar amount.

Sincerely,

Robert E. Klein, D.C.

Submitted on: 2/7/2024 7:30:55 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
Christopher Piianaia	Individual	Support	Written Testimony Only

#### Comments:

This bill should be passed. I have been in private practice for more than 24 years and the current fees are outdated and unreasonable. The fee schedule should be ties to the Workers

Compensation fee schedule as are the majority of healthcare plans use the medicare fee schedule to set the rates for fees.

The WC fee schedule would ensure fair and reasonable billing and maintain cost control for the insurance carrier.

The use of a fee cap of \$75 or even \$100 is unreasonable as it does not allow for adjustments to the cost of business, real property tax increases, increases in labor, etc.

Again, i support the passing of this bill with it being ties to the Workers Compensation fee schedule.

Thank you,

Christopher Piianaia

Submitted on: 2/7/2024 11:26:58 AM

Testimony for CPC on 2/8/2024 2:00:00 PM

<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
James Pleiss	Individual	Support	Written Testimony Only

#### Comments:

I support increasing the fees paid to chiropractors for auto accident cases. We have been capped at \$75 per visit since 1997, where as acupuncture and massage therapy, with significant less training than chiropractors, are not capped in what they can charge.

Please support changes to this bill to allow chiropractors to bill according to the Workers Compensation Medical Fee Schedule, not the \$100 dollars as stated in the current language of the bill.

Thank you.

Submitted on: 2/7/2024 3:25:35 PM

Testimony for CPC on 2/8/2024 2:00:00 PM



<b>Submitted By</b>	Organization	<b>Testifier Position</b>	Testify
damian smith	Individual	Support	Written Testimony Only

#### Comments:

I am writing in support of this bill. I believe it will have a positive impact on the chiropractic profession and its patient base helping them get the best care possible. I also believe the original language of HB 1686 and NOT the HD1. The charges should be tied to the STATE APPROVE WORKERS COMP SCHEDULE AND NOT THE FIXED \$100. An increase is long over due as it has been many years since this has been adjusted.