

STAND. COM. REP. NO. 546-24

Honolulu, Hawaii  
FEB 16, 2024

RE: H.B. No. 2393  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2393 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Provide a base level of coverage under the existing mammography coverage mandate; and
- (2) Amend the laws governing external review of health insurance determinations to more closely align with the National Association of Insurance Commissioners' Uniform Health Carrier External Review Model Act.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii Radiological Society; and Hawaii Medical Association. Your Committee received comments on this measure from the Hawaii Medical Service Association.

Your Committee finds that Act 230, Session Laws of Hawaii 2011 (Act 230), enacted provisions governing the external review of health insurance determinations to comply with the requirements

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of the federal Patient Protection and Affordable Care Act of 2010, P.L. 111-148. Your Committee further finds that the provisions of Act 230 closely align to the Uniform Health Carrier External Review Model Act (Model Act), which was adopted by the National Association of Insurance Commissioners to establish a national standard and uniform approach for processing, conducting, and making external review determinations. While there is some alignment, the areas where Act 230 deviates from the Model Act has interfered with ability of the Insurance Division's staff to perform other duties and requires the Insurance Commissioner to render decisions in matters that are inappropriate, such as contract disputes between health carriers and providers. This measure amends the provisions enacted by Act 230 to allow for a more efficient administration of the laws governing external review of health insurance determinations.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 2393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2393, H.D. 1, and be referred to your Committee on Finance.

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

  
MARK M. NAKASHIMA, Chair



**Record of Votes of the Committee on Consumer Protection & Commerce**

Bill/Resolution No.: <b>HB 2393</b>	Committee Referral: <b>CPC, FIN</b>	Date: <b>02-13-24</b>
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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)

CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	/			
2. SAYAMA, Jackson D. (VC)	/			
3. AMATO, Terez	/			
4. BELATTI, Della Au	/			
5. HASHEM, Mark J.	/			
6. HUSSEY-BURDICK, Natalia	/			
7. GATES, Cedric Asuega				/
8. LOWEN, Nicole E.				/
9. ONISHI, Richard H.K.	/			
10. TAM, Adrian K.	/			
11. PIERICK, Elijah				/
<b>TOTAL (11)</b>	<b>8</b>			<b>3</b>

The recommendation is:     Adopted     Not Adopted  
If joint referral, \_\_\_\_\_ did not support recommendation.  
   committee acronym(s)

Vice Chair's or designee's signature:

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