

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 838
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 838 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require all insurance policies, contracts, plans, or agreements issued or renewed in the State after December 31, 2025, including Medicaid managed care programs, to cover the cost of continuous glucose monitors (CGMs) and related supplies under certain conditions.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency, Hilo Benioff Medical Center Foundation, Liberty Dialysis Hawai'i, American Diabetes Association, and eight individuals.

Your Committee received comments on this measure from the Department of Human Services, Insurance Division of the Department of Commerce and Consumer Affairs, Department of the Attorney General, Hawaii Association of Health Plans, and Kaiser Permanente Hawaii.

Your Committee finds that CGMs can be an important tool for individuals with diabetes to monitor their blood glucose levels with real-time data, which could help them avoid blood sugar fluctuations. Your Committee further finds that CGMs are a very



powerful means of helping many patients with diabetes adjust their lifestyles to better control their diabetes and avoid progression of the hugely expensive complications of diabetes. Therefore, this measure ensures that all individuals, regardless of financial status, can access this essential tool to manage their diabetes effectively.

Your Committee acknowledges that section 23-51, Hawaii Revised Statutes, provides that before any legislative measure that mandates health insurance coverage for specific health services, specific diseases, or certain providers of health care services as part of individual or group health insurance policies can be considered, there shall be concurrent resolutions passed requesting the Auditor to prepare and submit to the Legislature a sunrise analysis report that assesses both the social and financial effects of the proposed mandated coverage. As for this measure, your Committee finds that existing law requires health insurers to provide coverage for outpatient diabetes self-management equipment and supplies under certain conditions, and insurers in the State are already voluntarily providing coverage for CGMs. Accordingly, your Committee does not believe a sunrise analysis would be required for the insurance coverage proposed in this measure.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
 - (A) Required insurance coverage for CGMs to apply to plans under Medicaid managed care programs in the State;
 - (B) Required the Department of Human Services to seek federal authorization and waivers as necessary to implement this measure and to allow for full alignment with federal standards and optimization of Medicaid resources; and
 - (C) Allowed the Department of Human Services to accept and expend funds from gifts, grants, and donations from individuals, private organizations, foundations, or other governmental agencies to

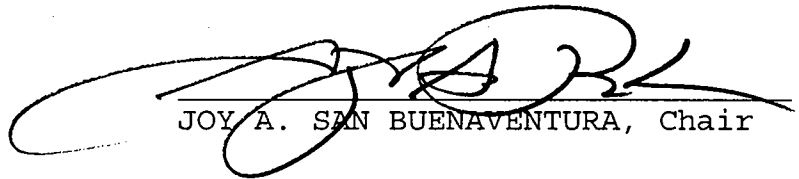


support the expansion of CGM access under certain conditions;

- (2) Inserting language stating that section 23-51, Hawaii Revised Statutes, which requires a sunrise analysis by the Auditor for certain insurance coverage mandates, does not apply to this measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 838, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 838, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



Record of Votes
Committee on Health and Human Services
HHS

*Only one measure per Record of Votes