

JAN 28 2026

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that recent changes to
2 the immunization recommendations provided by the Advisory
3 Committee on Immunization Practices of the United States
4 Department of Health and Human Services differ significantly
5 from established medical standards and practice, such as the
6 immunization recommendations provided by the American Academy of
7 Pediatrics. The legislature also finds that insurance companies
8 have only publicly committed to providing coverage of vaccines
9 that were part of the Advisory Committee's recommendations made
10 prior to September 2025 until the end of 2026. However, to
11 protect the freedom of choice for the people of Hawaii to
12 comprehensively consider the full range of prevailing medical
13 standards when it comes to childhood immunization, there must be
14 clarity regarding what their insurance will cover.

15 Accordingly, the purpose of this Act is to clarify that the
16 department of health is to presume both the recommendations by
17 the American Academy of Pediatrics and the recommendations by



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1 the Advisory Committee on Immunization Practices of the United
2 States Department of Health and Human Services constitute the
3 prevailing medical standard for child health supervision
4 services for purposes of health insurance coverage.

5 SECTION 2. Section 431:10A-115.5, Hawaii Revised Statutes,
6 is amended to by amending subsections (b) and (c) to read as
7 follows:

8 "(b) Child health supervision services shall include
9 twelve visits at approximately the following intervals: birth;
10 two months; four months; six months; nine months; twelve months;
11 fifteen months; eighteen months; two years; three years; four
12 years; and five years. Services to be covered at each visit
13 shall include a history, physical examination, developmental
14 assessment, anticipatory guidance, immunizations, and laboratory
15 tests, in keeping with the prevailing medical [~~standards.~~]
16 standard. For purposes of this subsection, [~~the term~~
17 "~~prevailing medical standards~~"] "prevailing medical standard"
18 means the recommendations of the Advisory Committee on
19 Immunization Practices of the United States Department of Health
20 and Human Services and the American Academy of Pediatrics;
21 provided that if the recommendations of the committee and the



1 academy differ, the department of health shall [~~determine which~~
2 ~~recommendations shall apply.~~] presume that the recommendations
3 of both the committee and the academy constitute the prevailing
4 medical standard. The department shall only deviate from this
5 presumption to recommend more comprehensive coverage or if the
6 department finds, by clear and convincing evidence, that a
7 specific recommendation is not in the best interests of public
8 health.

9 (c) Minimum benefits may be limited to one visit payable
10 to one provider for all of the services provided at each visit
11 cited in this section, except that the limitations authorized by
12 this subsection shall not apply to immunizations recommended by
13 the Advisory Committee on Immunization Practices of the United
14 States Department of Health and Human Services and the American
15 Academy of Pediatrics; provided that if the recommendations of
16 the committee and the academy differ, the department of health
17 shall [~~determine which recommendations shall apply~~ presume that
18 the recommendations of both the committee and the academy
19 constitute the prevailing medical standard. The department
20 shall only deviate from this presumption to recommend more
21 comprehensive coverage or if the department finds, by clear and



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1 convincing evidence, that a specific recommendation is not in
2 the best interests of public health."

3 SECTION 3. Section 431:10A-206.5, Hawaii Revised Statutes,
4 is amended by amending subsections (b) and (c) to read as
5 follows:

6 "(b) Child health supervision services shall include
7 twelve visits at approximately the following intervals: birth;
8 two months; four months; six months; nine months; twelve months;
9 fifteen months; eighteen months; two years; three years; four
10 years; and five years. Services to be covered at each visit
11 shall include a history, physical examination, developmental
12 assessment, anticipatory guidance, immunizations, and laboratory
13 tests, in keeping with the prevailing medical [~~standards.~~]
14 standard. For purposes of this subsection, [~~the term~~
15 ~~"prevailing medical standards"~~] "prevailing medical standard"
16 means the recommendations of the Advisory Committee on
17 Immunization Practices of the United States Department of Health
18 and Human Services and the American Academy of Pediatrics;
19 provided that if the recommendations of the committee and the
20 academy differ, the department of health shall [~~determine which~~
21 ~~recommendations shall apply.~~] presume that the recommendations



1 of both the committee and the academy constitute the prevailing
2 medical standard. The department shall only deviate from this
3 presumption to recommend more comprehensive coverage or if the
4 department finds, by clear and convincing evidence, that a
5 specific recommendation is not in the best interests of public
6 health.

7 (c) Minimum benefits may be limited to one visit payable
8 to one provider for all of the services provided at each visit
9 cited in this section, except that the limitations authorized by
10 this subsection shall not apply to immunizations recommended by
11 the Advisory Committee on Immunization Practices of the United
12 States Department of Health and Human Services and the American
13 Academy of Pediatrics; provided that if the recommendations of
14 the committee and the academy differ, the department of health
15 shall ~~[determine which recommendations shall apply.]~~ presume
16 that the recommendations of both the committee and the academy
17 constitute the prevailing medical standard. The department
18 shall only deviate from this presumption to recommend more
19 comprehensive coverage or if the department finds, by clear and
20 convincing evidence, that a specific recommendation is not in
21 the best interests of public health."



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SECTION 4. Section 432:1-602.5, Hawaii Revised Statutes,
is amended by amending subsections (b) and (c) to read as
follows:

"(b) Child health supervision services shall include
twelve visits at approximately the following intervals: birth;
two months; four months; six months; nine months; twelve months;
fifteen months; eighteen months; two years; three years; four
years; and five years. Services to be covered at each visit
shall include a history, physical examination, developmental
assessment, anticipatory guidance, immunizations, and laboratory
tests, in keeping with the prevailing medical [standards.]
standard. For purposes of this subsection, [~~the term~~
~~"prevailing medical standards"~~] "prevailing medical standard"
means the recommendations of the Advisory Committee on
Immunization Practices of the United States Department of Health
and Human Services and the American Academy of Pediatrics;
provided that if the recommendations of the committee and the
academy differ, the department of health shall [~~determine which~~
~~recommendations shall apply.~~] presume that the recommendations
of both the committee and the academy constitute the prevailing
medical standard. The department shall only deviate from this



1 presumption to recommend more comprehensive coverage or if the
2 department finds, by clear and convincing evidence, that a
3 specific recommendation is not in the best interests of public
4 health.

5 (c) Minimum benefits may be limited to one visit payable
6 to one provider for all of the services provided at each visit
7 cited in this section, except that the limitations authorized by
8 this subsection shall not apply to immunizations recommended by
9 the Advisory Committee on Immunization Practices of the United
10 States Department of Health and Human Services and the American
11 Academy of Pediatrics; provided that if the recommendations of
12 the committee and the academy differ, the department of health
13 shall ~~[determine which recommendations shall apply.]~~ presume
14 that the recommendations of both the committee and the academy
15 constitute the prevailing medical standard. The department
16 shall only deviate from this presumption to recommend more
17 comprehensive coverage or if the department finds, by clear and
18 convincing evidence, that a specific recommendation is not in
19 the best interests of public health."

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



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1 SECTION 6. This Act shall take effect upon its approval.

2

INTRODUCED BY: *Hunt W. Bentley*



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Report Title:

Department of Health; Child Health Supervision Services;
Immunization; Prevailing Medical Standard; Recommendations

Description:

Clarifies that the Department of Health is to presume both the recommendations by the American Academy of Pediatrics and the recommendations by the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services constitute the prevailing medical standard for child health supervision services for purposes of health insurance coverage.

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