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# A BILL FOR AN ACT

RELATING TO PREVENTIVE MEDICINE.

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

1           SECTION 1. The legislature finds that access to preventive  
2 medicine, including evidence-based clinical preventive services,  
3 is fundamental to maintaining and improving the health of the  
4 people of Hawaii. These essential preventive benefits and  
5 protections are increasingly placed in jeopardy due to  
6 unwarranted skepticism towards long-established and  
7 scientifically validated medical recommendations.

8           The legislature further finds that clinical preventive  
9 services recommended by the Advisory Committee on Immunization  
10 Practices and by the United States Preventive Services Task  
11 Force, such as immunizations and other evidence-based preventive  
12 interventions, are currently required to be covered by health  
13 insurance without cost-sharing under the federal Patient  
14 Protection and Affordable Care Act. However, if these  
15 recommendations are withdrawn, invalidated, or otherwise no  
16 longer recognized under federal law, these preventive medical  
17 services may cease to be covered without cost-sharing.



1           The loss of no-cost access to these preventive services  
 2 would likely increase out-of-pocket health care expenses for  
 3 Hawaii residents, causing many individuals to delay or forego  
 4 preventive care. Such delays would increase the risk of  
 5 infectious disease outbreaks and contribute to the growing  
 6 burden of chronic disease across the State.

7           Accordingly, the purpose of this Act is to ensure continued  
 8 access to preventive medicine by requiring coverage of  
 9 evidence-based clinical preventive services without cost-sharing  
 10 for the people of Hawaii.

11           SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
 12 amended by adding three new sections to part II to be  
 13 appropriately designated and to read as follows:

14           "§321-A Hawaii preventive services advisory committee;  
 15 established. (a) There is established within the department of  
 16 health the Hawaii preventive services advisory committee, which  
 17 shall serve in an advisory capacity to the department of health  
 18 on matters relating to clinical preventive services.

19           (b) The Hawaii preventive services advisory committee  
 20 shall be composed of ten members. The director of health or the  
 21 director's designee shall serve as an ex officio nonvoting chair



1 of the advisory committee and invite one representative from  
2 each of the following organizations to serve as the advisory  
3 committee members:

4 (1) Hawaii chapter of the American Academy of Pediatrics;

5 (2) Hawaii chapter of the American Academy of Family  
6 Physicians;

7 (3) Hawaii chapter of the American Academy of  
8 Obstetricians and Gynecologists;

9 (4) Hawaii chapter of the American College of Physicians;

10 (5) Hawaii Association of Professional Nurses;

11 (6) Hawaii Medical Association;

12 (7) Hawaii Association of Health Plans;

13 (8) Healthcare Association of Hawaii; and

14 (9) Hawaii Primary Care Association, which may nominate a  
15 consumer representative knowledgeable about consumer  
16 perspectives or community aspects of clinical  
17 prevention.

18 (c) The members of the Hawaii preventive services advisory  
19 committee shall be subject to chapter 84. Each member shall  
20 serve for a term of up to four years, as determined by the  
21 director of health; provided that no members shall serve more



1 than eight consecutive years. The director of health or the  
2 director's designee may designate staggered term lengths for  
3 initial members, including terms of one, two, three, or four  
4 years.

5 (d) The members of the Hawaii preventive services advisory  
6 committee shall serve without compensation but shall be  
7 reimbursed for expenses, including travel expenses, necessary  
8 for the performance of their duties.

9 **§321-B Hawaii preventive services advisory committee;**  
10 **scope; duties.** (a) The scope of the Hawaii preventive services  
11 advisory committee shall be limited to recommendations relating  
12 to clinical preventive service recommendations of the United  
13 States Preventive Services Task Force that have been assigned a  
14 grade of A or B as of July 1, 2025, and to recommendations  
15 relating to immunizations.

16 (b) The Hawaii preventive services advisory committee  
17 shall base its recommendations on the best available scientific  
18 evidence and shall give due consideration to recommendations  
19 issued by recognized national medical professional  
20 organizations.



1       (c) The Hawaii preventive services advisory committee  
2 shall make its recommendations independently of any  
3 recommendations developed through, or in coordination with, any  
4 multi-state alliance or agreement made for the purpose of  
5 issuing clinical prevention service recommendations.

6       (d) The department of health shall consider  
7 recommendations submitted by the Hawaii preventive services  
8 advisory committee when issuing clinical preventive service  
9 recommendations pursuant to section 321-31.

10       §321-C Preventive services; immunity. (a) No person  
11 shall be subject to civil or criminal liability or professional  
12 disciplinary action or deemed to have engaged in unprofessional  
13 conduct for providing clinical preventive services in accordance  
14 with recommendations made pursuant to section 321-31.

15       (b) No professional organization or association, health  
16 care provider, or health care facility shall subject any person  
17 to discipline, suspension, loss of license, loss of privileges,  
18 loss of membership, or other penalty for providing clinical  
19 preventive services in accordance with recommendations made  
20 pursuant to section 321-31.



1        (c) Nothing in this section shall be construed to limit,  
2 restrict, or prohibit any claim, cause of action, or right of  
3 recovery against any person or entity for injury arising from  
4 negligence."

5        SECTION 3. Chapter 431, Hawaii Revised Statutes, is  
6 amended by adding a new section to article 10A, part I, to be  
7 appropriately designated and to read as follows:

8        "§431:10A- Preventive services coverage; department of  
9 health recommendations. (a) Each individual and group accident  
10 and health or sickness insurance policy, contract, plan, or  
11 agreement issued or renewed in the State shall provide coverage,  
12 without any deductible, copayment, coinsurance, or other cost-  
13 sharing requirements, for clinical preventive services  
14 recommended by the department of health pursuant to section 321-  
15 31.

16        (b) Coverage under this section shall include items and  
17 services furnished by a provider acting within the scope of the  
18 provider's license.

19        (c) This section shall not be construed to limit any  
20 broader coverage or benefits related to preventive services  
21 otherwise required under this chapter.



1        (d) This section shall not apply to disability income,  
2 specified disease, medicare supplement, or hospital indemnity  
3 policies."

4        SECTION 4. Chapter 432, Hawaii Revised Statutes, is  
5 amended by adding a new section to article 1, part VI, to be  
6 appropriately designated and to read as follows:

7        "§432:1- Preventive services coverage; department of  
8 health recommendations. (a) All individual and group hospital  
9 and medical health service corporation contracts delivered or  
10 issued for delivery in the State shall provide coverage, without  
11 any deductible, copayment, coinsurance, or other cost-sharing  
12 requirements, for clinical preventive services recommended by  
13 the department of health pursuant to section 321-31.

14        (b) Coverage under this section shall include items and  
15 services furnished by a provider acting within the scope of the  
16 provider's license.

17        (c) This section shall not be construed to limit any  
18 broader coverage or benefits related to preventive services  
19 otherwise required under this chapter.



1        (d) This section shall not apply to disability income,  
2 specified disease, medicare supplement, or hospital indemnity  
3 policies."

4        SECTION 5. Section 321-31, Hawaii Revised Statutes, is  
5 amended to read as follows:

6        "**§321-31 Functions of the department.** The powers, duties,  
7 and functions of the department of health relating to preventive  
8 medicine shall be as follows:

9        (1) To supervise and coordinate activities in the fields  
10        of preventive medicine, including cancer control,  
11        crippled children, epidemiology, geriatrics,  
12        laboratories, maternal and child health, mental  
13        hygiene, nutrition, and communicable diseases;

14        (2) To formulate and put into effect throughout the State  
15        educational programs for the purposes of preventing  
16        and reducing disease and disability;

17        (3) To engage in the collection and analysis of  
18        statistical information pertinent to any of its  
19        activities;



1 (4) To cooperate with and propose methods and programs to  
2 other governmental agencies relating to the fields of  
3 preventive medicine;

4 (5) To serve as the coordinating agency for programs  
5 ~~[which]~~ that provide for a range of child abuse and  
6 neglect prevention services in relation to assessed  
7 needs, regardless of whether the programs are  
8 conducted by the department, other government  
9 agencies, or private organizations and to coordinate  
10 the prevention programs with child abuse and neglect  
11 treatment services; provided that this paragraph shall  
12 not be interpreted to compel a specified level of  
13 services; ~~[and]~~

14 (6) To make clinical preventive service recommendations  
15 based on the recommendations of the Hawaii preventive  
16 services advisory committee established pursuant to  
17 section 321-A, or pursuant to an alliance entered into  
18 with another state for the purpose of issuing clinical  
19 preventive service recommendations;

20 (7) To issue standing orders for medications and  
21 immunizations; and



1        [~~6~~] (8) To perform such other appropriate functions as  
2                    may be required."

3        SECTION 6. Section 431:10A-115.5, 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 prevailing medical standards. For the  
14 purposes of this subsection, [~~the term~~] "prevailing medical  
15 standards" means the recommendations of the Advisory Committee  
16 on Immunization Practices of the United States Department of  
17 Health and Human Services and the American Academy of  
18 Pediatrics~~[+]~~, or the recommendations of the department of  
19 health made pursuant to section 321-31; provided that if [the]  
20 these recommendations [of the committee and the academy] differ,



1 the department of health shall determine which recommendations  
2 shall apply.

3 (c) Minimum benefits may be limited to one visit payable  
4 to one provider for all of the services provided at each visit  
5 cited in this section, except that the limitations authorized by  
6 this subsection shall not apply to immunizations recommended by  
7 the Advisory Committee on Immunization Practices of the United  
8 States Department of Health and Human Services and the American  
9 Academy of Pediatrics[+], or the recommendations of the  
10 department of health made pursuant to section 321-31; provided  
11 that if [the] these recommendations [of the committee and the  
12 academy] differ, the department of health shall determine which  
13 recommendations shall apply."

14 SECTION 7. Section 431:10A-206.5, Hawaii Revised Statutes,  
15 is amended by amending subsections (b) and (c) to read as  
16 follows:

17 "(b) Child health supervision services shall include  
18 twelve visits at approximately the following intervals: birth;  
19 two months; four months; six months; nine months; twelve months;  
20 fifteen months; eighteen months; two years; three years; four  
21 years; and five years. Services to be covered at each visit



1 shall include a history, physical examination, developmental  
2 assessment, anticipatory guidance, immunizations, and laboratory  
3 tests, in keeping with prevailing medical standards. For the  
4 purposes of this subsection, ~~[the term]~~ "prevailing medical  
5 standards" means the recommendations of the Advisory Committee  
6 on Immunization Practices of the United States Department of  
7 Health and Human Services and the American Academy of  
8 Pediatrics~~[+]~~, or the recommendations of the department of  
9 health made pursuant to section 321-31; provided that if ~~the~~  
10 these recommendations ~~[of the committee and the academy]~~ differ,  
11 the department of health shall determine which recommendations  
12 shall apply.

13 (c) Minimum benefits may be limited to one visit payable  
14 to one provider for all of the services provided at each visit  
15 cited in this section, except that the limitations authorized by  
16 this subsection shall not apply to immunizations recommended by  
17 the Advisory Committee on Immunization Practices of the United  
18 States Department of Health and Human Services and the American  
19 Academy of Pediatrics~~[+]~~, or the recommendations of the  
20 department of health made pursuant to section 321-31; provided  
21 that if ~~the~~ these recommendations ~~[of the committee and the~~



1 ~~adequacy~~] differ, the department of health shall determine which  
2 recommendations shall apply."

3 SECTION 8. Section 431:10A-207, Hawaii Revised Statutes,  
4 is amended to read as follows:

5 "~~S~~**431:10A-207 Coverage for specific services.** Every  
6 person insured under a group or blanket disability insurance  
7 policy shall be entitled to the reimbursements and coverages  
8 specified in ~~[section]~~ sections 431:10A-116~~[+]~~ and 431:10A- ."

9 SECTION 9. Section 431:26-103, Hawaii Revised Statutes, is  
10 amended by amending subsection (a) to read as follows:

11 "(a) Network adequacy requirements shall be as follows:

12 (1) A health carrier providing a network plan shall  
13 maintain a network that is sufficient in numbers and  
14 appropriate types of providers, including those that  
15 serve predominantly low-income, medically underserved  
16 individuals, to assure that all covered benefits will  
17 be accessible without unreasonable travel or delay;

18 ~~and]~~

19 (2) Covered persons shall have access to emergency  
20 services twenty-four hours per day, seven days per  
21 week~~[+]~~; and



1       (3) The network shall include an adequate number and  
2       geographic distribution of providers authorized to  
3       furnish clinical preventive services for which  
4       coverage is required under state law or rule,  
5       including services recommended by the department of  
6       health pursuant to section 321-31, to ensure timely  
7       access to those services without unreasonable travel  
8       or delay."

9       SECTION 10. Section 432:1-602.5, Hawaii Revised Statutes,  
10      is amended by amending subsections (b) and (c) to read as  
11      follows:

12       "(b) Child health supervision services shall include  
13      twelve visits at approximately the following intervals: birth;  
14      two months; four months; six months; nine months; twelve months;  
15      fifteen months; eighteen months; two years; three years; four  
16      years; and five years. Services to be covered at each visit  
17      shall include a history, physical examination, developmental  
18      assessment, anticipatory guidance, immunizations, and laboratory  
19      tests, in keeping with prevailing medical standards. For the  
20      purposes of this subsection, [~~the term~~] "prevailing medical  
21      standards" means the recommendations of the Advisory Committee



1 on Immunization Practices of the United States Department of  
2 Health and Human Services and the American Academy of  
3 Pediatrics[+], or the recommendations of the department of  
4 health made pursuant to section 321-31; provided that if [the]  
5 these recommendations [~~of the committee and the academy~~] differ,  
6 the department of health shall determine which recommendations  
7 shall apply.

8 (c) Minimum benefits may be limited to one visit payable  
9 to one provider for all of the services provided at each visit  
10 cited in this section, except that the limitations authorized by  
11 this subsection shall not apply to immunizations recommended by  
12 the Advisory Committee on Immunization Practices of the United  
13 States Department of Health and Human Services and the American  
14 Academy of Pediatrics[+], or the recommendations of the  
15 department of health made pursuant to section 321-31; provided  
16 that if [the] these recommendations [~~of the committee and the~~  
17 ~~academy~~] differ, the department of health shall determine which  
18 recommendations shall apply."

19 SECTION 11. Section 432D-23, Hawaii Revised Statutes, is  
20 amended to read as follows:



1           **"§432D-23 Required provisions and benefits.**

2 Notwithstanding any provision of law to the contrary, each  
3 policy, contract, plan, or agreement issued in the State after  
4 January 1, 1995, by health maintenance organizations pursuant to  
5 this chapter, shall include benefits provided in sections  
6 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-\_\_\_\_\_, 431:10A-  
7 116, 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,  
8 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,  
9 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, [~~and~~  
10 ~~431:10A-134,~~] and chapter 431M."

11           SECTION 12. Section 432E-1.4, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13           "(a) For contractual purposes, a health intervention shall  
14 be covered if it is an otherwise covered category of service,  
15 not specifically excluded, recommended by the treating licensed  
16 health care provider, and determined by the health plan's  
17 medical director to be medically necessary as defined in  
18 subsection (b). Notwithstanding any determination under this  
19 section, coverage for any clinical preventive service for which  
20 coverage is required under state law or rule, including clinical  
21 preventive services recommended by the department of health



1 pursuant to section 321-31, shall not be denied on the basis of  
2 medical necessity or subject to prior authorization, except as  
3 permitted for reasonable medical management. A health  
4 intervention may be medically indicated and not qualify as a  
5 covered benefit or meet the definition of medical necessity. A  
6 managed care plan may choose to cover health interventions that  
7 do not meet the definition of medical necessity."

8 SECTION 13. Section 461-11.4, Hawaii Revised Statutes, is  
9 amended by amending its title and subsection (a) to read as  
10 follows:

11 "**§461-11.4 Vaccinations**~~[+children]~~. (a) A pharmacist,  
12 pharmacy intern, or registered pharmacy technician under the  
13 direct supervision of a registered pharmacist may administer a  
14 vaccine to a person three years of age or older; provided that:

15 (1) The vaccine is authorized or approved by the United  
16 States Food and Drug Administration~~[+]~~ for any  
17 indication;

18 (2) The vaccine has been ordered by a registered  
19 pharmacist and administered in accordance with the  
20 recommendations of the Advisory Committee on  
21 Immunization Practices of the United States Department



1 of Health and Human Services[+], or the department of  
2 health pursuant to section 321-31;

3 (3) The pharmacy intern has completed a practical training  
4 program approved by the Accreditation Council for  
5 Pharmacy Education that includes hands-on injection  
6 technique, clinical evaluation of indications and  
7 contraindications of vaccines, and the recognition and  
8 treatment of emergency responses to vaccines;

9 (4) The registered pharmacy technician has completed a  
10 practical training program approved by the  
11 Accreditation Council for Pharmacy Education that  
12 includes hands-on injection technique;

13 (5) The registered pharmacy technician has a Certified  
14 Pharmacy Technician certification from either the  
15 Pharmacy Technician Certification Board or National  
16 Healthcareer Association;

17 (6) The registered pharmacist, pharmacy intern, or  
18 registered pharmacy technician has a current  
19 certificate in basic cardiopulmonary resuscitation;

20 (7) The registered pharmacist or registered pharmacy  
21 technician has completed a minimum of two credit hours



- 1 in immunization-related continuing education courses  
2 during each licensing biennium;
- 3 (8) The registered pharmacist is in compliance with all  
4 applicable recordkeeping and reporting requirements,  
5 including complying with adverse events reporting  
6 requirements;
- 7 (9) The registered pharmacist, pharmacy intern, or  
8 registered pharmacy technician has reviewed the  
9 patient's vaccination records before administering the  
10 vaccine;
- 11 (10) The registered pharmacist has informed the patient and  
12 the patient's primary guardian or caregiver of the  
13 importance of a well-child visit with a pediatrician  
14 or other licensed primary care provider and has  
15 referred the patient as appropriate; and
- 16 (11) Where a prescription has been ordered by a person  
17 other than the registered pharmacist<sup>[7]</sup> or a standing  
18 order pursuant to section 321-31, the registered  
19 pharmacist, pharmacy intern, or registered pharmacy  
20 technician shall verify that the prescriber or the



1           prescriber's authorized agent is the patient's medical  
2           home."

3           SECTION 14. Notwithstanding section 23-51, Hawaii Revised  
4 Statutes, this Act shall be exempt from the requirements for an  
5 impact assessment report on proposed mandatory health insurance  
6 coverage.

7           SECTION 15. The benefit to be provided by health  
8 maintenance organizations corresponding to the benefit provided  
9 under sections 431:10A-   , Hawaii Revised Statutes, if any, as  
10 contained in the amendment to section 432D-23, Hawaii Revised  
11 Statutes, in section 11 of this Act, shall take effect for all  
12 policies, contracts, plans, or agreements issued in the State  
13 after January 1, 2027.

14          SECTION 16. Notwithstanding any other law to the contrary,  
15 the coverage for evidence-based clinical preventive services  
16 required under sections 3, 4, 6, 7, 8, 10, 11, and 12 of this  
17 Act shall apply to all health benefits plans under chapter 87A,  
18 Hawaii Revised Statutes.

19          SECTION 17. This Act does not affect rights and duties  
20 that matured, penalties that were incurred, and proceedings that  
21 were begun before its effective date.



1           SECTION 18. In codifying the new sections added by section  
2 2 and referenced in section 5 of this Act, the revisor of  
3 statutes shall substitute appropriate section numbers for the  
4 letters used in designating the new sections in this Act.

5           SECTION 19. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7           SECTION 20. This Act shall take effect on July 1, 2026.

8



**Report Title:**

DOH; Hawaii Preventive Services Advisory Committee; Insurance Coverage; Cost-Share; Standing Orders; Immunity; Sunrise Analysis Exemption

**Description:**

Establishes the Hawaii Preventive Services Advisory Committee and authorizes the Department of Health to issue preventive service recommendations. Requires health insurance coverage without cost-sharing for Department of Health-recommended clinical preventive services. Provides immunity for healthcare providers' and facilities' provision of recommended clinical preventive services. (SD2)

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

