
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15 recommendations are withdrawn, invalidated, or otherwise no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 not be deemed officers or employees of the
20 State; provided that the members shall be subject to chapter 84.
21 Each member shall serve for a term of up to four years, as



1 determined by the director of health; provided that no members
2 shall serve more than eight consecutive years. The director of
3 health or the director's designee may designate staggered term
4 lengths for initial members, including terms of one, two, three,
5 or four years.

6 (d) There shall be no liability on the part of, and no
7 cause of action of any nature shall arise against, the Hawaii
8 preventive services advisory committee, the advisory committee
9 members, or the department of health for any act or omission
10 done in good faith in the performance of their duties in the
11 exercise of their functions under this section, including
12 development, adoption, issuance, or implementation of clinical
13 preventive service recommendations; provided that this
14 subsection shall not be construed to limit or affect the
15 liability of any person arising from the provision of direct
16 medical care.

17 (e) The members of the Hawaii preventive services advisory
18 committee shall serve without compensation but shall be
19 reimbursed for expenses, including travel expenses, necessary
20 for the performance of their duties.



1 §321-B Hawaii preventive services advisory committee;

2 scope; duties. (a) The scope of the Hawaii preventive services
3 advisory committee shall be limited to recommendations relating
4 to clinical preventive service recommendations of the United
5 States Preventive Services Task Force that have been assigned a
6 grade of A or B as of July 1, 2025, and to recommendations
7 relating to immunizations.

8 (b) The Hawaii preventive services advisory committee
9 shall base its recommendations on the best available scientific
10 evidence and shall give due consideration to recommendations
11 issued by recognized national medical professional
12 organizations.

13 (c) The Hawaii preventive services advisory committee
14 shall make its recommendations independently of any
15 recommendations developed through, or in coordination with, any
16 multi-state alliance or agreement made for the purpose of
17 issuing clinical prevention service recommendations.

18 (d) The department of health shall consider
19 recommendations submitted by the Hawaii preventive services
20 advisory committee when issuing clinical preventive service
21 recommendations pursuant to section 321-31.



1 §321-C Preventive services; immunity. (a) No person
2 shall be subject to civil or criminal liability or professional
3 disciplinary action or deemed to have engaged in unprofessional
4 conduct for providing clinical preventive services in accordance
5 with recommendations made pursuant to section 321-31.

6 (b) No professional organization or association, health
7 care provider, or health care facility shall subject any person
8 to discipline, suspension, loss of license, loss of privileges,
9 loss of membership, or other penalty for providing clinical
10 preventive services in accordance with recommendations made
11 pursuant to section 321-31.

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

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

19 "§431:10A- Preventive services coverage; department of
20 health recommendations. (a) Each individual and group accident
21 and health or sickness insurance policy, contract, plan, or



1 agreement issued or renewed in this State shall provide
2 coverage, without any deductible, copayment, coinsurance, or
3 other cost-sharing requirements, for clinical preventive
4 services recommended by the department of health pursuant to
5 section 321-31.

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

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

12 (d) This section shall not apply to disability income,
13 specified disease, medicare supplement, or hospital indemnity
14 policies."

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

18 **"§432:1- Preventive services coverage; department of**
19 **health recommendations.** (a) All individual and group hospital
20 and medical health service corporation contracts delivered or
21 issued for delivery in the State shall provide coverage, without



1 any deductible, copayment, coinsurance, or other cost-sharing
2 requirements, for clinical preventive services recommended by
3 the department of health pursuant to section 321-31.

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

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

10 (d) This section shall not apply to disability income,
11 specified disease, medicare supplement, or hospital indemnity
12 policies."

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

15 "**§321-31 Functions of the department.** The powers, duties,
16 and functions of the department of health relating to preventive
17 medicine shall be as follows:

18 (1) To supervise and coordinate activities in the fields
19 of preventive medicine, including cancer control,
20 crippled children, epidemiology, geriatrics,



- 1 laboratories, maternal and child health, mental
2 hygiene, nutrition, and communicable diseases;
- 3 (2) To formulate and put into effect throughout the State
4 educational programs for the purposes of preventing
5 and reducing disease and disability;
- 6 (3) To engage in the collection and analysis of
7 statistical information pertinent to any of its
8 activities;
- 9 (4) To cooperate with and propose methods and programs to
10 other governmental agencies relating to the fields of
11 preventive medicine;
- 12 (5) To serve as the coordinating agency for programs
13 [~~which~~] that provide for a range of child abuse and
14 neglect prevention services in relation to assessed
15 needs, regardless of whether the programs are
16 conducted by the department, other government
17 agencies, or private organizations and to coordinate
18 the prevention programs with child abuse and neglect
19 treatment services; provided that this paragraph shall
20 not be interpreted to compel a specified level of
21 services; [~~and~~]



1 (6) To make clinical preventive service recommendations
2 based on the recommendations of the Hawaii preventive
3 services advisory committee established pursuant to
4 section 321-A, or pursuant to an alliance entered into
5 with another state for the purpose of issuing clinical
6 preventive service recommendations;

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

9 ~~[(6)]~~ (8) To perform such other appropriate functions as
10 may be required."

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

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



1 purposes of this subsection, the term "prevailing medical
2 standards" means the recommendations of the Advisory Committee
3 on Immunization Practices of the United States Department of
4 Health and Human Services and the American Academy of
5 Pediatrics[+], or the recommendations of the department of
6 health made pursuant to section 321-31; provided that if [the]
7 these recommendations [~~of the committee and the academy~~] differ,
8 the department of health shall determine which recommendations
9 shall apply.

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



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

4 "(b) Child health supervision services shall include
5 twelve visits at approximately the following intervals: birth;
6 two months; four months; six months; nine months; twelve months;
7 fifteen months; eighteen months; two years; three years; four
8 years; and five years. Services to be covered at each visit
9 shall include a history, physical examination, developmental
10 assessment, anticipatory guidance, immunizations, and laboratory
11 tests, in keeping with prevailing medical standards. For
12 purposes of this subsection, the term "prevailing medical
13 standards" means the recommendations of the Advisory Committee
14 on Immunization Practices of the United States Department of
15 Health and Human Services and the American Academy of
16 Pediatrics[+], or the recommendations of the department of
17 health made pursuant to section 321-31; provided that if [~~the~~]
18 these recommendations [~~of the committee and the academy~~] differ,
19 the department of health shall determine which recommendations
20 shall apply.



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

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

14 "**§431:10A-207 Coverage for specific services.** Every
15 person insured under a group or blanket disability insurance
16 policy shall be entitled to the reimbursements and coverages
17 specified in [~~section~~] sections 431:10A-116[+] and 431:10A- ."

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

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



- 1 (1) A health carrier providing a network plan shall
2 maintain a network that is sufficient in numbers and
3 appropriate types of providers, including those that
4 serve predominantly low-income, medically underserved
5 individuals, to assure that all covered benefits will
6 be accessible without unreasonable travel or delay;
7 [and]
- 8 (2) Covered persons shall have access to emergency
9 services twenty-four hours per day, seven days per
10 week[-]; and
- 11 (3) The network shall include an adequate number and
12 geographic distribution of providers authorized to
13 furnish clinical preventive services for which
14 coverage is required under state law or rule,
15 including services recommended by the department of
16 health pursuant to section 321-31, to ensure timely
17 access to those services without unreasonable travel
18 or delay."

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



1 "(b) Child health supervision services shall include
2 twelve visits at approximately the following intervals: birth;
3 two months; four months; six months; nine months; twelve months;
4 fifteen months; eighteen months; two years; three years; four
5 years; and five years. Services to be covered at each visit
6 shall include a history, physical examination, developmental
7 assessment, anticipatory guidance, immunizations, and laboratory
8 tests, in keeping with prevailing medical standards. For
9 purposes of this subsection, the term "prevailing medical
10 standards" means the recommendations of the Advisory Committee
11 on Immunization Practices of the United States Department of
12 Health and Human Services and the American Academy of
13 Pediatrics[+], or the recommendations of the department of
14 health made pursuant to section 321-31; provided that if [the]
15 these recommendations [of the committee and the academy] differ,
16 the department of health shall determine which recommendations
17 shall apply.

18 (c) Minimum benefits may be limited to one visit payable
19 to one provider for all of the services provided at each visit
20 cited in this section, except that the limitations authorized by
21 this subsection shall not apply to immunizations recommended by



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

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

10 **"§432D-23 Required provisions and benefits.**

11 Notwithstanding any provision of law to the contrary, each
12 policy, contract, plan, or agreement issued in the State after
13 January 1, 1995, by health maintenance organizations pursuant to
14 this chapter, shall include benefits provided in sections
15 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-_____, 431:10A-
16 116, 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119,
17 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126,
18 431:10A-132, 431:10A-133, 431:10A-134, 431:10A-140, [~~and~~
19 ~~431:10A-134,~~] and chapter 431M."

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



1 "(a) For contractual purposes, a health intervention shall
2 be covered if it is an otherwise covered category of service,
3 not specifically excluded, recommended by the treating licensed
4 health care provider, and determined by the health plan's
5 medical director to be medically necessary as defined in
6 subsection (b). Notwithstanding any determination under this
7 section, coverage for any clinical preventive service for which
8 coverage is required under state law or rule, including clinical
9 preventive services recommended by the department of health
10 pursuant to section 321-31, shall not be denied on the basis of
11 medical necessity or subject to prior authorization, except as
12 permitted for reasonable medical management. A health
13 intervention may be medically indicated and not qualify as a
14 covered benefit or meet the definition of medical necessity. A
15 managed care plan may choose to cover health interventions that
16 do not meet the definition of medical necessity."

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

20 "**S461-11.4 Vaccinations [~~;- children~~].** (a) A pharmacist,
21 pharmacy intern, or registered pharmacy technician under the



1 direct supervision of a registered pharmacist may administer a
2 vaccine to a person three years of age or older; provided that:

3 (1) The vaccine is authorized or approved by the United
4 States Food and Drug Administration[+] for any
5 indication;

6 (2) The vaccine has been ordered by a registered
7 pharmacist and administered in accordance with the
8 recommendations of the Advisory Committee on
9 Immunization Practices of the United States Department
10 of Health and Human Services[+], or the department of
11 health pursuant to section 321-31;

12 (3) The pharmacy intern has completed a practical training
13 program approved by the Accreditation Council for
14 Pharmacy Education that includes hands-on injection
15 technique, clinical evaluation of indications and
16 contraindications of vaccines, and the recognition and
17 treatment of emergency responses to vaccines;

18 (4) The registered pharmacy technician has completed a
19 practical training program approved by the
20 Accreditation Council for Pharmacy Education that
21 includes hands-on injection technique;



- 1 (5) The registered pharmacy technician has a Certified
2 Pharmacy Technician certification from either the
3 Pharmacy Technician Certification Board or National
4 Healthcareer Association;
- 5 (6) The registered pharmacist, pharmacy intern, or
6 registered pharmacy technician has a current
7 certificate in basic cardiopulmonary resuscitation;
- 8 (7) The registered pharmacist or registered pharmacy
9 technician has completed a minimum of two credit hours
10 in immunization-related continuing education courses
11 during each licensing biennium;
- 12 (8) The registered pharmacist is in compliance with all
13 applicable recordkeeping and reporting requirements,
14 including complying with adverse events reporting
15 requirements;
- 16 (9) The registered pharmacist, pharmacy intern, or
17 registered pharmacy technician has reviewed the
18 patient's vaccination records before administering the
19 vaccine;
- 20 (10) The registered pharmacist has informed the patient and
21 the patient's primary guardian or caregiver of the



1 importance of a well-child visit with a pediatrician
2 or other licensed primary care provider and has
3 referred the patient as appropriate; and
4 (11) Where a prescription has been ordered by a person
5 other than the registered pharmacist~~[7]~~ or a standing
6 order pursuant to section 321-31, the registered
7 pharmacist, pharmacy intern, or registered pharmacy
8 technician shall verify that the prescriber or the
9 prescriber's authorized agent is the patient's medical
10 home."

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

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



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

6 SECTION 17. This Act does not affect rights and duties
7 that matured, penalties that were incurred, and proceedings that
8 were begun before its effective date.

9 SECTION 18. In codifying the new sections added by section
10 2 and referenced in section 5 of this Act, the revisor of
11 statutes shall substitute appropriate section numbers for the
12 letters used in designating the new sections in this Act.

13 SECTION 19. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

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

16



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. (SD1)

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

