

ACT 263

S.B. NO. 3079

A Bill for an Act Relating to Public Assistance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1989-1990¹ to be exceeded by \$2,065,166 or 0.081 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the need provided for by this Act.

SECTION 2. Section 346-59, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Rates of payment to providers of medical care who are individual practitioners, including doctors of medicine, dentists, podiatrists, psychologists, osteopaths, optometrists, and other individuals providing services, shall be based upon the most current profile available of [usual and] customary fees and the percentage of the profile in proportion to the funds appropriated by the legislature. The amounts paid shall not exceed the maximum permitted to be paid individual practitioners or other individuals under federal law and regulation and shall not exceed the reasonable charge under the medicare program, based on the same profile base year selected by the legislature for the medicaid profiles, the state limits as provided in the appropriation act, and the provider’s billed amount.

The appropriation act shall indicate the percentage used as the basis for the appropriation of each fiscal year. If that percentage has been adjusted by the legislature, the legislature shall specify the extent of the adjustment in the appropriation act.

This section notwithstanding[;], providers shall not be reimbursed an amount less than their existing payment rates unless a reduction is specifically intended and required by law.”

SECTION 3. Section 346-59, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) The department shall prepare each biennial budget request for a medical care appropriation based upon the most current [usual and] customary fee profile available at the time the request is prepared.

The director shall submit a report to the legislature on or before January 1 of each year indicating an estimate of the amount of money required to be appropriated to pay providers at the maximum rates permitted by federal and state rules in the upcoming fiscal year.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,065,166, or so much thereof as may be necessary for fiscal year 1990-1991,¹ to carry out the purposes of this Act.

SECTION 5. The sum appropriated shall be expended by the department of human services for the purposes of this Act.

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

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 8. This Act shall take effect on July 1, 1990.

(Approved June 25, 1990.)

Note

1. So in original.