

## ACT 27

S.B. NO. 2589

A Bill for an Act Relating to Health Insurance.

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

SECTION 1. Section 432E-5, Hawaii Revised Statutes, is amended by amending subsection (d):

“(d) A managed care plan shall send notice of its final internal determination within [~~forty-five~~] sixty days of the submission of the complaint to the enrollee, the enrollee’s appointed representative, if applicable, the enrollee’s treating provider, and the commissioner. The notice shall include the following information regarding the enrollee’s rights and procedures:

- (1) The enrollee’s right to request an external review;
- (2) The sixty-day deadline for requesting the external review;
- (3) Instructions on how to request an external review; and
- (4) Where to submit the request for an external review.”

SECTION 2. Section 432E-6.5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) An expedited appeal shall be authorized if the application of the [~~forty-five~~] sixty day standard review time frame may:

- (1) Seriously jeopardize the life or health of the enrollee;
- (2) Seriously jeopardize the enrollee’s ability to gain maximum functioning; or

**ACT 27**

- (3) Subject the enrollee to severe pain that cannot be adequately managed without the care or treatment that is the subject of the expedited appeal.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 29, 2004.)