

## ACT 56

S.B. NO. 3222

A Bill for an Act Relating to Motor Vehicle Insurance.

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

SECTION 1. Section 431:10C-103.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Personal injury protection benefits, with respect to any accidental harm, means all appropriate and reasonable treatment and expenses necessarily incurred as a result of the accidental harm and which are substantially comparable to the requirements for prepaid health care plans, including medical, hospital, surgical, professional, nursing, advanced practice nursing recognized pursuant to chapter 457, dental, optometric, naturopathy, chiropractic, ambulance, prosthetic services, medical equipment and supplies, products and accommodations furnished, x-ray, psychiatric, physical therapy pursuant to prescription by a medical doctor, occupational therapy, rehabilitation, and therapeutic massage by a licensed massage therapist when prescribed by a medical doctor.”

SECTION 2. Section 431:10C-103.6, Hawaii Revised Statutes, is amended to read as follows:

“**§431:10C-103.6 Personal injury protection benefits tied to prepaid health care plan for description of coverage only.** (a) The benefits provided under section 431:10C-103.5 shall be substantially comparable to the requirements for prepaid health care plans, as provided in chapter 393 and rules of the department of labor and industrial relations, pertaining to the Prepaid Health Care Act. The reference to the Prepaid Health Care Act is only for purposes of describing the coverages and exclusions, without regard to any specific insurer or plan, and shall not be construed to transfer coverage to the prepaid health care plans. The precise charges and utilization rates shall be as contained in the workers’ compensation schedules as provided under section 431:10C-308.5, unless modified by the commissioner by rule under chapter 91.

(b) Chiropractic treatments shall be allowed for not more than the lesser of the following:

- (1) Thirty visits at no more than \$75 a visit, plus no more than five x-rays at no more than \$50 each; or
- (2) Treatment as defined by the Hawaii State Chiropractic Association guidelines in effect on January 25, 1997.

(c) Acupuncture treatments shall be allowed for no more than thirty visits at no more than \$75 a visit.

(d) Naturopathic treatments shall be allowed for no more than thirty visits at no more than \$75 a visit.

~~[(d)]~~ (e) The combined total of naturopathic, chiropractic, and acupuncture treatments may not exceed thirty visits.

~~[(e)]~~ (f) The benefits under section 431:10C-103.5 may be with copayment, and shall be subject to and apply the utilization requirements applicable under prepaid health care plans, under chapter 393.”

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

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

(Approved May 5, 2004.)

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