

A Bill for an Act Relating to Insurance Coverage of Health Screenings.

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

SECTION 1. The legislature finds that some patients have difficulty receiving proper screenings for sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome, at annual health screenings. The legislature further finds that more than 1,200,000 people in the United States are living with human immunodeficiency virus and almost one in eight affected persons is unaware of the infection. It is estimated that, each year, more than fifty thousand cases of human immunodeficiency virus are reported with one in four of the new infections striking those between the ages of thirteen and twenty-four.

The legislature further finds that early detection of sexually transmitted diseases is paramount to proper health care and prevention of further transmission. The legislature further finds that certain health care providers may not screen specifically for some sexually transmitted diseases, including human immunodeficiency virus and acquired immunodeficiency syndrome, at annual screenings, even though the federal Patient Protection and Affordable Care Act of 2010 requires health insurance to cover those screenings without any patient cost sharing.

The purpose of this Act is to ensure that all insurers in the State, including health benefits plans under chapter 87A, Hawaii Revised Statutes, provide insurance coverage for annual screenings for sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome.

SECTION 2. Chapter 431, Hawaii Revised Statutes, is amended by adding a new section to part I of article 10A to be appropriately designated and to read as follows:

**“§431:10A- Human immunodeficiency virus and acquired immunodeficiency syndrome screening coverage.** (a) Each policy of accident and health or sickness insurance issued or renewed in this State, except for policies that only provide coverage for specified diseases or other limited benefit coverage as described in section 431:10A-102.5, shall provide coverage for annual screenings for sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome.

(b) Each accident and health or sickness insurer shall reimburse all costs associated with the coverage under subsection (a) to any physician or health care provider complying with this section.”

SECTION 3. Chapter 432, Hawaii Revised Statutes, is amended by adding a new section to part VI of article 1 to be appropriately designated and to read as follows:

**“§432:1- Human immunodeficiency virus and acquired immunodeficiency syndrome screening coverage.** (a) Each hospital or medical service plan contract issued or renewed in this State, except for plan contracts that only provide coverage for specified diseases or other limited benefit coverage, shall provide coverage for annual screenings for sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome.

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(b) Each mutual benefit society shall reimburse all costs associated with the coverage under subsection (a) to any physician or health care provider complying with this section.”

SECTION 4. Section 432D-23, Hawaii Revised Statutes, is amended to read as follows:

“**§432D-23 Required provisions and benefits.** Notwithstanding any provision of law to the contrary, each policy, contract, plan, or agreement issued in the State after January 1, 1995, by health maintenance organizations pursuant to this chapter, shall include benefits provided in sections 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120, 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132, 431:10A-133, [~~and~~] 431:10A-140, and 431:10A-, and chapter 431M.”

SECTION 5. Section 23-51, Hawaii Revised Statutes, shall not apply to this Act.

SECTION 6. Notwithstanding any other law to the contrary, the coverage for annual screenings of sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome, required under sections 2, 3, and 4 of this Act shall apply to all health benefits plans under chapter 87A, Hawaii Revised Statutes, issued, renewed, modified, altered, or amended on or after January 1, 2018.

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.<sup>1</sup>

SECTION 8. This Act shall take effect on July 1, 2016, and shall apply to policies, contracts, and plans of health insurance issued or renewed after January 1, 2018.

(Approved July 5, 2016.)

### Note

1. Edited pursuant to HRS §23G-16.5.