

HAWAII EMPLOYERS COUNCIL

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FEBRUARY 8, 2008

2008 – Health and Miscellaneous Bills

Health-Related Bills

- SB 2058 **Dentists** – Permits insured patients to assign reimbursement for dental services directly to their dentist of choice, even if their dentist is not a participating provider with the dental insurer. *Effective upon approval.*
- SB 2149 **Dental Insurance** – Expands power of Insurance Commissioner to include regulating the rates of dental insurance providers. *Effective upon approval.*
- HB 3157 HD1, SB 3079 **Fees for Providers** – Allows medical service providers to receive payment directly from health insurers, HMOs, and mutual benefit societies, even when the provider does not have a contract with the insurer, HMO, or mutual benefit society. *Effective upon approval.*
- SB 2310 **Workplace Safety Professionals** – Provides for professional recognition and title protection for specific jobs within the occupational safety and health field (including industrial hygiene, health physics, and safety). *Effective upon approval.*
- HB 1992 HD1 **Medical Tort Reform** – Limits non-economic damages and attorneys fees in medical tort claims. Amends definition of applicable “healthcare provider.” *Effective July 1, 2008.*
- SB 2354, SB 2412
- SB 2942 **Medical Tort Reform** – Limits non-economic damages in medical tort claims, contingent upon the adoption by insurers of premium rate caps for medical malpractice insurance. *Effective upon approval.*
- SB 3024 **Medical Tort Reform** – Limits non-economic damages in medical tort claims to \$250,000; limits attorneys’ fees in medical tort suits; requires that economic damages be based upon proportionate fault. *Effective July 1, 2008.*
- SB 3192 **Medical Tort Reform** – Requires a claimant who rejects the decision of a medical claim conciliation panel and subsequently files lawsuit, to pay a court fee of \$10,000. Provides for reimbursement of \$10,000 court fee if the claimant prevails in court. *Effective July 1, 2008.*
- SB 2788 **Medical Malpractice Court** – Establishes, as a pilot project, special medical malpractice courts to adjudicate medical malpractice claims. *Effective June 30, 2008.*
- SB 2413 **Insurance Regulation** – Repeals the health insurance rate regulation filing requirement, to enable health insurance companies to determine their own rates. *Effective upon approval.*
- SB 2530 **Insurance for Self-Employed** – Requires group health insurers to offer group health plans to any self-employed individuals who are licensed by the Dept. of Commerce and Consumer Affairs and are located in the group issuer’s service areas. *Effective July 1, 2008.*

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- HB 2796 HD1 **Health Insurers** – Provides that health insurance companies with more than 50% of the market must provide increased reimbursements to healthcare providers, and those with less than 50% of the market will be exempted from taxes on premiums provided that they work towards the goal of decreasing the number of uninsured in Hawaii. *Effective upon approval.*
- HB 2255 HD 1 **Group Life Insurance** – Eliminates requirement that employee group life policies must cover at least 10 employees on date of issue. *Effective upon approval.*
- HB 2291 HD1 **Universal Health Insurance** – Establishes a state health authority, which is directed to
HB 1598 HD1, SB 2101 create a plan to provide medical assistance for all citizens of Hawaii. *Effective upon approval.*

Miscellaneous Bills of Interest

- HB 2308 HD1 **Charities** – Requires charities to register with the Attorney General if they intend to solicit
SB 2968 contributions in the state.
- SB 2014 **Charities** – Creates new HRS Chapter to regulate charitable trusts and non-profit organizations. Authorizes Attorney General to oversee charitable trusts and non-profits, and requires charities and non-profits to register with the Attorney General. Insures that funds collected by charity or non-profit are applied solely according to donor's intent. *Effective upon approval.*
- SB 3171 **Charities** – Requires charitable trusts and nonprofit organizations to register and file annual reports with Attorney General; authorizes Attorney General to conduct investigations of charities and non-profits; prohibits contracting with unregistered solicitors. *Effective July 1, 2008.*