




HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

TO: Marcus Oshiro
House of Representatives
Majority Leader

FROM: Bev Harbin 
House of Representatives
Downtown, Chinatown, Keeaumoku/Kakaako

CC: All Reps

Date: May 25, 2006

Re: HMSA "embedded lobbyists" complaint and request for an advisory opinion of the Ethics Commission and the Internal Revenue Service

Marcus:

I take your comments in the Honolulu Advertiser today as an insult to my integrity and an embarrassment that you have failed to hear my message this session as to how important health care is to the people of Hawaii. That you would accuse me of a "political agenda" indicates to me that you have not been listening to my many floor speeches since the beginning of the 2006 Session. I have over and over again stated that the Health Care Rate Regulation is (was) one of the most important pieces of legislation enacted by the 2002 Legislature for the employees and workers of the Small Business Community. I have also over and over again stated that SB 2917, RELATING TO HEALTH INSURANCE RATE REGULATION was one of the most important pieces of legislation needing to be passed in the Senate language by the 2006 Legislature. If you had taken the time to review the testimony and attend the hearings on this measure as I did, you would have seen the overwhelming testimony in support of this measure. There were only TWO against the measure. That would be HMSA and KAISER PERMANENTE, the only two entities that would benefit from the outcome of the death of the measure.

In this specific instance regarding the intern placed by HMSA in the office of the Chair of the Consumer Protection & Commerce Committee, my position has consistently been that this practice was absolutely contradictory to the mission of the committee, "*Consumer Protection.*" The consumers of health care, the workers that we in the majority caucus hold dearly, have in fact been

abandoned by the unfettered access of HMSA to the Chair of the CPC Committee.

Majority Leader Oshiro, your position as the leader of the Majority Caucus in the House of Representatives is not a position that should be taken lightly. Health Care to our people is of such importance that we are proud of our legislative history in the passing of the Prepaid Health Care Act. This is what leadership is supposed to be -- decisions for the good of the employees and citizens of Hawaii.

The issue of the HMSA intern has been a very visible issue of concern to many, both privately and publicly. That you, as the Majority Leader, did not step to the plate and remove the intern has tainted and embarrassed our 2006 session and I share in that embarrassment.

Yes, these are serious accusations and it is my place as a legislator to address these accusations for the protection of the people of my district and the employees and workers of the State of Hawaii. It is unfortunate that the only recourse that I as a Representative have to address your lack of leadership is with the Ethics Commission. My biggest disappointment is that you, as Majority Leader, in spite of the loud public outcry and media coverage, did not remove the intern to remove any cloud on the 2006 Legislature. Majority Leader, this is what leadership is about: taking risks and making the hard decisions for what is right, especially when it addresses public perception.

I hope you will join me in asking the Ethics Commission for the advisory opinion requested so that you as Majority Leader will have a clear view of what is right for our employees and health care consumers at the 2007 Session or in a Special Session this summer.