STAND. COM. REP. NO. 288-06

Honolulu, Hawaii

Fe 5/4, 2006

RE: H.B. No. 1872

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Health, to which was referred H.B. No. 1872 entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,"

beg leave to report as follows:

The purpose of this bill is to establish a means of increasing access to affordable prescription drugs by allowing consumers, the State, and other affected parties to obtain an injunction, damages, and other relief when a drug manufacturer or its licensee sells drugs for an excessive price.

The ILWU Local 142, Policy Advisory Board for Elder Affairs, and National Legislative Association on Prescription Drug Prices testified in support of this bill. Pharmaceutical Research and Manufacturers of America opposed this bill.

Your Committees find that Americans pay the world's highest drug prices. We paid 81 percent more for patented brand-name drugs last year than buyers in Canada and six western European countries. This bill provides a vehicle for a consumer or provider to challenge this excessive pricing by showing that a drug is priced 30 percent over the price for the same drug in any of four, high income, industrialized countries. The drug industry must then explain why these medications cannot be priced more reasonably.

Your Committees hope that the Committee on Judiciary will review this bill's suggested legal process for practicality and reasonableness. To continue discussion on this measure, the bill's effective date has been changed to July 1, 2050. In addition, technical, nonsubstantive amendments were made for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1872, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1872, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Health,

Ni a. Cerekek.

DENNIS A. ARAKAKI. Chair

DODEDE N. HEDRE

ROBERT N. HERKES, Chair

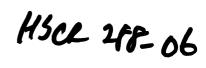


State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1872	Date:	2/8/0	6			
Committee Referral: CPC / HLT	☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended Pass, with amendments						
☐ Hold ☐ Recommit						
CPC Members	Ayes	Ayes (WR)	Nays	Excused		
1. HERKES, Robert N. (C)						
2. SCHATZ, Brian (VC)						
3. CALDWELL, Kirk						
4. ITO, Ken						
5. KANOHO, Ezra R.		$ec{m{ u}}$				
6. KARAMATSU, Jon Riki						
7. MORITA, Hermina M.						
8. SONSON, Alex M.						
9. SOUKI, Joseph M.						
10. MARUMOTO, Barbara C.		V				
11. STONEBRAKER, Bud						
			1			
TOTAL	4	2		5		
The recommendation is:						
☐ Not Adopted						
If joint referred		did not sunne	ort racommandation			
If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office						

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Record of Votes of the Committee on Health

Bill/Resolution No.: HB 1872	Date:	108/06		
Committee Referral: CPC/HLT, JU	The comprevious	nmittee is reconsider us decision on the m		
The recommendation is to: Pass, unar	_	ass, with amendment	s	
☐ Hold	□ R	ecommit		
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. ARAKAKI, Dennis A. (C)				
2. GREEN, Josh, M.D. (VC)				
3. CABANILLA, Rida T.R.				
4. HALE, Heléne H.				
5. NISHIMOTO, Scott Y.				
6. SONSON, Alex M.				Candal Colonia Canasa, na mara da la colonia Colonia Colonia Colonia Canasa de Canasa de Canasa de Canasa de C
7. HALFORD, Chris				
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TOTAL	4)		
The recommendation is: Adopted				
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☐ Not Adop	oted			
If joint referr		did not suppo	rt recommendation.	
	committee acronyme	(s)		
Vice Chair's or designee's signature:				
vice Chair's or designee's signature:	_			
Distribution: Original (White) – Committee	ee Duplicate (Yello	w) – Clerk's Office		