STAND. COM. REP. NO. 1027 -08

Honolulu, Hawaii **Fe 929**, 2008 RE: H.B. No. 12

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 12, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS,"

begs leave to report as follows:

The purpose of this bill is to protect consumers by requiring pharmaceutical manufacturing companies to disclose to the Board of Pharmacy (Board), gifts, fees, payments, and subsidies, or other economic benefits in connection with detailing, promotional, or other marketing activities by the company to physicians, hospitals, nursing homes, pharmacists, health plan administrators, or others who are authorized to prescribe, dispense, or sell prescription drugs in the state.

The Hawaii Alliance for Retired Americans and ILWU Local 142 testified in support of this bill. The Pharmaceutical Research and Manufacturers of America testified in opposition to this measure. The Office of Information Practices submitted comments.

Your Committee has amended this bill by;

 Clarifying that the initial disclosure to the Board shall be made prior to December 31, 2009, for the twelve month period ending June 30, 2009;



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- (2) Establishing timelines for subsequent annual disclosures by pharmaceutical marketers;
- (3) Clarifying that the initial disclosure of the name and address of the individual responsible for the pharmaceutical manufacturing company's compliance with this new law shall be made before October 1, 2009; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 12, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 12, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO, Chair





## **Record of Votes of the Committee on Finance**

Bill/Resolution No.: HB12 HD1	Solution No.:Committee Referral:JB 12 HO1FIN			Date: 2-27-2008		
□ The committee is reconsidering its previous decisi	on on the measure.					
The recommendation is to: Image: Pass, unamended   Image: Pass short form Pass short form		ass, with amendments ( ommit for future public				
FIN Members	Ayes	Ayes (WR)	Nays	Excused		
1. OSHIRO, Marcus R. (C)	V					
2. LEE, Marilyn B. (VC)	~					
3. AWANA, Karen Leinani	V					
4. BELATTI, Della Au				~		
5. BROWER, Tom	V					
6. CARROLL, Mele						
7. HANOHANO, Faye P.	V					
8. HAR, Sharon E.				~		
9. KARAMATSU, Jon Riki	-					
10. MAGAOAY, Michael Y.	1					
11. MANAHAN, Joey						
12. MIZUNO, John						
13. NAKASONE, Bob	- K			-		
14. RHOADS, Karl	· · ·					
15. SAGUM, Roland D., III						
16. TOKIOKA, James Kunane						
17. MEYER, Colleen Rose						
18. PINE, Kymberly Marcos						
19. WARD, Gene, Ph.D.				~		
TOTAL (19)	12	2	0	5		
The recommendation is: Adopted If joint referral,	Not Adop   committee acronym	did not suppor	rt recommendation	1.		
Vice Chair's or designee's signature:	Maij	Blee				
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