

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 2436
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committees on Health and Commerce and Consumer
Protection, to which was referred S.B. No. 2436 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to require the
Insurance Commissioner to develop a uniform prior authorization
form for prescription drugs no later than July 1, 2013, to be used
by prescribers and health care insurance providers beginning
January 1, 2014.

Your Committees received testimony in support of this measure
from the Hawaii State Center for Nursing, Faith Action for
Community Equity, Hawaii Medical Association, National Multiple
Sclerosis Society, Epilepsy Foundation of Hawaii, CVS Caremark,
Hawaii Academy of Physician Assistants, American Cancer Society,
HMSA, University of Hawaii, and two individuals. Your Committees
received testimony in opposition to this measure from the
Department of Commerce and Consumer Affairs, HMSA, and AlohaCare.
Your Committees received comments on this measure from Kaiser
Permanente.

Your Committees find that testimony submitted by the
Insurance Commissioner indicates that the Department of Commerce
and Consumer Affairs does not have the medical expertise necessary
to create and implement the uniform prior authorization form for
prescription drugs. Your Committees note that the Department of



Human Services is actively making effective strides toward achieving purposes similar to this measure.

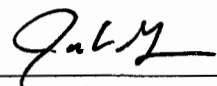
Your Committees have amended this measure accordingly by:

- (1) Requiring the Director of Human Services, rather than the Insurance Commissioner, to develop the uniform prior authorization form for prescription drugs;
- (2) Changing the definition of "dispenser" to mean "a practitioner who dispenses";
- (3) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2436, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2436, S.D. 1, and be placed on the calendar for Third Reading.

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


ROSALYN H. BAKER, Chair


JOSH GREEN, M.D., Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 2436	Committee Referral: HTH / CPN	Date: 2/22/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne				✓
SHIMABUKURO, Maile				✓
WAKAI, Glenn				✓
SLOM, Sam	✓			
TOTAL	4	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**

The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2436</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HTH/CPN</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">02-22-12</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood	✓			
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
SLOM, Sam	✓			
TOTAL	7	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**