

H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2013 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 65 entitled:

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

begs leave to report as follows:

The purpose of this measure is to protect the pharmaceutical rights of Hawaii's residents and ensure patient choice. Among other things, this bill:

- (1) Allows individual beneficiaries enrolled in any prescription drug benefits plan within the State, including the Hawaii Employer-Union Health Benefits Trust Fund health benefits plan, to opt out of a plan requirement to purchase prescriptions by mail order and in the alternative purchase prescriptions drugs at a retail pharmacy;
- (2) Prohibits a pharmacy benefit management company from restricting a patient's choice of pharmacy from which to receive prescription medications; and
- (3) Prohibits a pharmacy benefit manager from manipulating the amounts of drug co-payments that it charges in a manner that would encourage beneficiaries to receive prescription medications through a mail-order pharmacy.



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The National Community Pharmacists Association, Hawaii Community Pharmacists Association, Walgreen Company, Hawaii Food Industry Association, Hawaii Medical Association, Molokai Drugs, Inc., and several concerned individuals testified in support of this bill. The Hawaii Medical Service Association, CVS Caremark Corporation, and Express Scripts testified in opposition to this measure. A concerned individual provided comments.

Your Committee has amended this bill by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 65, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 65, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

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

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DELLA AU BELATTI, Chair



State of Hawaii House of Representatives The Twenty-seventh Legislature



Record of Votes of the Committee on Health

	Committee Referral: Date:			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)				
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2. MORIKAWA, Dee (VC)	V			
3. CABANILLA, Rida T.R.	\checkmark			
4. CARROLL, Mele				\checkmark
5. JORDAN, Jo				
C KODAVASIII Bostmand				
6. KOBAYASHI, Bertrand				
7. WOODSON, Justin H.				
8. CHEAPE, Lauren Kealohilani				
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TOTAL (8)	6			1
The recommendation is: Adopted Not Adopted If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				