STAND. COM. REP. NO. 1665

Honolulu, Hawaii

, 2019

MAR 22

RE: S.B. No. 1401

S.D. 2 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 1401, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS," beg leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit pharmacy benefit managers from preventing the disclosure of the cost share of a prescription drug and the disclosure of a more affordable alternative by pharmacists or pharmacies to insureds; and
- (2) Prohibit retaliation from pharmacy benefit managers against pharmacists or pharmacies for such disclosure.

Times Pharmacy, Hawaii Pharmacists Association, and a few individuals testified in support of this measure. The Hawaii Association of Health Plans testified in opposition to this measure. The Department of Commerce and Consumer Affairs and CVS Health provided comments.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that

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are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1401, S.D. 2, H.D. 1, and recommend that it be referred to your Committee on Finance.

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

CHRIS LEE, Chair

ROY M. TAKUMI, Chair

State of Hawaii



Record of Votes of the Committee on Consumer Protection & Commerce

	nittee Referral:	Date:	3/20/1	1				
	T, CPC/JUD	, FIN	2/10/1	•				
☐ 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)								
CPC Members	Ayes	Ayes (WR)	Nays	Excused				
1. TAKUMI, Roy M. (C)	/							
2. ICHIYAMA, Linda (VC)	/							
3. AQUINO, Henry J.C.	✓							
4. BELATTI, Della Au				✓				
5. CABANILLA ARAKAWA, Rida			4 0 240	· · · · · · · · · · · · · · · · · · ·				
CACHOLA Para M								
6. CACHOLA, Romy M.	V							
7. HAR, Sharon E.				<u> </u>				
7. HAR, Sharon E.								
8. KONG, Sam Satoru	J							
o. Acoro, Sam Satoru								
9. MIZUNO, John M.								
10. ONISHI, Richard H.K.		Co. To To 11, 1566 to Alay Sold DV Children S. P. S.	elisatolis elis es sala alla llimet e					
11. MATSUMOTO, Lauren	√	and the state of t	oleania e stata e a de la	ton. 201 out terrorities :				
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TOTAL (11)	0]	0	0	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								

State of Hawaii



Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee	e Referral:	Da	ite: / /	_		
SBIAOL SDS HOI	HLT,	cpc/ Juo,	LIN	3/20/19			
☐ 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)							
JUD Members		Ayes	Ayes (WR)	Nays	Excused		
1. LEE, Chris (C)							
2. SAN BUENAVENTURA, Joy A.	(VC)						
3. BROWER, Tom							
4. CREAGAN, Richard P.							
5. LOWEN, Nicole E.							
6. McKELVEY, Angus L.K.							
7. MORIKAWA, Dee			ş - ⁷				
8. SAY, Calvin K.Y.							
9. TAKAYAMA, Gregg	1 48.49						
10 NAMANE Days I							
10. YAMANE, Ryan I.	or and the second	i sa (Tal)					
11. THIELEN, Cynthia	·						
11. THIELEN, Cynuna			·				
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TOTAL (11)		a			2		
The recommendation is: Adopted							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Durlicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO							