

Honolulu, Hawaii

APR 27 2023

RE: S.B. No. 1381
S.D. 1
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1381, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE REPEAL OF SECTION 328-106, HAWAII REVISED STATUTES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to repeal section 328-106, Hawaii Revised Statutes, which requires the Department of Health to regulate business practices between private entities engaged in the selling, billing, and reimbursement of pharmaceuticals.

Your Committee on Conference finds that section 328-106, Hawaii Revised Statutes, requires the Department of Health to police contractual relationships between pharmacy benefit managers and pharmacies. This regulatory burden is outside the scope of the Department of Health's purview, expertise, and mission to protect public health, and other existing state laws offer more appropriate



regulatory frameworks for pharmacy benefit managers. Thus, repealing section 328-106, Hawaii Revised Statutes is appropriate.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1381, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1381, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



DELLA AU BELATTI
Co-Chair



JARRETT KEOHOKALOLE
Chair



JACKSON D. SAYAMA
Co-Chair



JOY A. SAN BUENAVENTURA
Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: SB 1381, SD 1, HD 1	Date/Time: 04/24/23 2:39 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

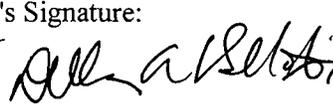
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEOHOKALOPE, Jarrett, Chr.	/				BELATTI, Della Au, Co-Chr.	/			
SAN BUENAVENTURA, Joy A., Co-Ch	/				SAYAMA, Jackson D., Co-Chr.	/			
AWA, Brenton	/				PIERICK, Elijah	/			
TOTAL	3	-	-	-	TOTAL	3	-	-	-

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:
 

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