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# A BILL FOR AN ACT

RELATING TO PHARMACISTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that there is currently a  
2 statewide physician shortage. According to the federal Health  
3 Resources and Services Administration, each county in the State  
4 contains a region that is a medically underserved area, as  
5 defined by the Public Health Service Act of 1944, Public Law  
6 78-410.

7           The legislature further finds that pharmacists can help  
8 bridge the gaps created by the physician shortage. A  
9 pharmacist's skill set includes educating patients on how and  
10 when to check blood sugar, ways to avoid and manage  
11 hypoglycemia, how to take their medications correctly to avoid  
12 adverse effects, and various medication utilization techniques.  
13 Additionally, patients are significantly less likely to be  
14 readmitted to the hospital when pharmacists provide clinical  
15 services after a hospital discharge.

16           Accordingly, the purpose of this Act is to require private  
17 and public health plans issued in the State to recognize



1 licensed pharmacists as participating providers and mandate  
2 payment or reimbursement for services provided by participating  
3 registered pharmacists within their scope of practice to the  
4 extent that the policy or plan provides coverage for the same  
5 service rendered by another health care provider.

6 SECTION 2. Chapter 431, Hawaii Revised Statutes, is  
7 amended by adding a new section to article 10A to be  
8 appropriately designated and to read as follows:

9 "§431:10A- Services provided by participating registered  
10 pharmacists; coverage. (a) Each individual or group policy of  
11 accident and health or sickness insurance delivered or issued  
12 for delivery in the State on or after July 1, 2026, shall:

13 (1) Recognize pharmacists licensed pursuant to chapter 461  
14 as participating providers;

15 (2) Include coverage for a service provided by a  
16 participating registered pharmacist practicing within  
17 the scope of their license for purposes of health  
18 maintenance or treatment to the extent that the policy  
19 provides coverage for the same service rendered by  
20 another health care provider; and



1       (3) Pay or reimburse a pharmacist or pharmacy for the cost  
2           of a service performed by a pharmacist within the  
3           scope of their practice.

4       (b) For the purposes of this section, "participating  
5 registered pharmacist" means a pharmacist licensed pursuant to  
6 chapter 461 who has contracted with the insurer to provide  
7 health care services to its insureds."

8           SECTION 3. Chapter 432, Hawaii Revised Statutes, is  
9 amended by adding a new section to article 1 to be appropriately  
10 designated and to read as follows:

11       "§432:1- Services provided by participating registered  
12 pharmacists; coverage. (a) Each individual or group hospital  
13 or medical service plan contract delivered or issued for  
14 delivery in the State on or after July 1, 2026, shall:

15       (1) Recognize pharmacists licensed pursuant to chapter 461  
16           as participating providers;

17       (2) Provide coverage for a service provided by a  
18           participating registered pharmacist practicing within  
19           the scope of their license for purposes of health  
20           maintenance or treatment to the extent that the plan



1           contract provides coverage for the same service  
 2           rendered by another health care provider; and  
 3           (3) Pay or reimburse a pharmacist or pharmacy for the cost  
 4           of a service performed by a pharmacist within the  
 5           scope of their practice.

6           (b) For the purposes of this section, "participating  
 7 registered pharmacist" means a pharmacist licensed pursuant to  
 8 chapter 461 who has contracted with the mutual benefit society  
 9 to provide health care services to its subscribers or members."

10           SECTION 4. Chapter 432D, Hawaii Revised Statutes, is  
 11 amended by adding a new section to be appropriately designated  
 12 and to read as follows:

13           "§432D- Services provided by participating registered  
 14 pharmacists; coverage. (a) Each health maintenance  
 15 organization policy, contract, plan, or agreement that is  
 16 issued, amended, or renewed in the State on or after July 1,  
 17 2026, shall:

- 18           (1) Recognize pharmacists licensed pursuant to chapter 461  
 19           as participating providers;  
 20           (2) Provide coverage for a service provided by a  
 21           participating registered pharmacist practicing within



1           the scope of their license for purposes of health  
2           maintenance or treatment to the extent that the plan  
3           contract provides coverage for the same service  
4           rendered by another health care provider; and

5           (3) Pay or reimburse a pharmacist or pharmacy for the cost  
6           of a service performed by a pharmacist within the  
7           scope of their practice.

8           (b) For the purposes of this section, "participating  
9           registered pharmacist" means a pharmacist licensed pursuant to  
10          chapter 461 who has contracted with the health maintenance  
11          organization to provide health care services to its enrollees or  
12          subscribers."

13           SECTION 5. Section 346-59, Hawaii Revised Statutes, is  
14          amended by amending subsection (b) to read as follows:

15           "(b) Rates of payment to providers of medical care who are  
16          individual practitioners, including doctors of medicine,  
17          dentists, podiatrists, psychologists, osteopaths, optometrists,  
18          pharmacists, and other individuals providing services, shall be  
19          based upon the Hawaii medicaid fee schedule. The amounts paid  
20          shall not exceed the maximum permitted to be paid individual  
21          practitioners or other individuals under federal law and



1 regulation, the medicare fee schedule for the current year, the  
2 state limits as provided in the appropriation act, or the  
3 provider's billed amount.

4 The appropriation act shall indicate the percentage of the  
5 medicare fee schedule for the year 2000 to be used as the basis  
6 for establishing the Hawaii medicaid fee schedule. For any  
7 subsequent adjustments to the fee schedule, the legislature  
8 shall specify the extent of the adjustment in the appropriation  
9 act."

10 SECTION 6. Section 346-59.1, Hawaii Revised Statutes, is  
11 amended by amending subsection (g) to read as follows:

12 "(g) For the purposes of this section:

13 "Distant site" means the location of the health care  
14 provider delivering services through telehealth at the time the  
15 services are provided.

16 "Health care provider" means a provider of services, as  
17 defined in title 42 United States Code section 1395x(u), a  
18 provider of medical and other health services, as defined in  
19 title 42 United States Code section 1395x(s), other  
20 practitioners licensed by the State and working within their  
21 scope of practice, and any other person or organization who



1 furnishes, bills, or is paid for health care in the normal  
2 course of business, including but not limited to primary care  
3 providers, mental health providers, oral health providers,  
4 physicians and osteopathic physicians licensed under  
5 chapter 453, advanced practice registered nurses licensed under  
6 chapter 457, psychologists licensed under chapter 465,  
7 pharmacists licensed under chapter 461, and dentists licensed  
8 under chapter 448.

9 "Interactive telecommunications system" has the same  
10 meaning as the term is defined in title 42 Code of Federal  
11 Regulations section 410.78(a).

12 "Originating site" means the location where the patient is  
13 located, whether accompanied or not by a health care provider,  
14 at the time services are provided by a health care provider  
15 through telehealth, including but not limited to a health care  
16 provider's office, hospital, critical access hospital, rural  
17 health clinic, federally qualified health center, a patient's  
18 home, and other nonmedical environments such as school-based  
19 health centers, university-based health centers, or the work  
20 location of a patient.



1 "Telehealth" means the use of telecommunications services,  
2 as defined in section 269-1, to encompass four modalities:  
3 store and forward technologies, remote monitoring, live  
4 consultation, and mobile health; and which shall include but not  
5 be limited to real-time video conferencing-based communication,  
6 secure interactive and non-interactive web-based communication,  
7 and secure asynchronous information exchange, to transmit  
8 patient medical information, including diagnostic-quality  
9 digital images and laboratory results for medical interpretation  
10 and diagnosis, for the purpose of delivering enhanced health  
11 care services and information while a patient is at an  
12 originating site and the health care provider is at a distant  
13 site. Except as provided through an interactive  
14 telecommunications system, standard telephone contacts,  
15 facsimile transmissions, or e-mail text, in combination or  
16 alone, do not constitute telehealth services."

17 SECTION 7. The department of human services shall apply to  
18 the United States Department of Health and Human Services for  
19 any amendment to the state medicaid plan or for any medicaid  
20 waiver necessary to implement sections 5 and 6 of this Act.



1 SECTION 8. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 9. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 10. This Act shall take effect on  
7 December 31, 2050; provided that sections 5 and 6 shall take  
8 effect upon approval of the Hawaii medicaid state plan by the  
9 Centers for Medicare and Medicaid Services; provided further  
10 that the amendments made to section 346-59.1, Hawaii Revised  
11 Statutes, by section 6 of this Act shall not be repealed when  
12 that section is reenacted on December 31, 2025, pursuant to  
13 section 8 of Act 107, Session Laws of Hawaii 2023.



**Report Title:**

Insurance Coverage; Pharmacists; Reimbursement; Health Insurers;  
Mutual Benefit Societies; Health Maintenance Organizations;  
Medicaid Plans

**Description:**

Beginning 7/1/2026, mandates reimbursement for services provided by participating registered pharmacists practicing within their scope of practice by private and public health plans in the State and requires the health plans to recognize pharmacists licensed in the State as participating providers. Effective 12/31/2050. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

