

STAND. COM. REP. NO. **2200**

Honolulu, Hawaii

FEB 11 2026

RE: S.B. No. 2047
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 2047 entitled:

"A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish requirements for pharmacy benefit managers that reimburse contracting pharmacies for drugs on a maximum allowable cost basis, including maximum allowable cost lists, maximum allowable cost reports, and a complaint process;
- (2) Require pharmacy benefit managers to disclose lower-priced equivalent drugs when a maximum allowable cost is upheld on appeal;
- (3) Allow contracting pharmacies to reverse and rebill claims and recoup any overpayment if a maximum allowable cost is denied on appeal; and
- (4) Authorize the Insurance Commissioner to adopt rules and assess fines for violations.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency, Office of



Hawaiian Affairs, Hawaii Pharmacists Association, and one individual.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawai'i Primary Care Association, and CVS.

Your Committee finds that pharmacy benefit manager (PBM) pricing practices that lack transparency, such as aggressively low maximum allowable cost (MAC) reimbursement rates or copayment structures that exceed the actual cost of a medication, can directly affect patients' out-of-pocket costs and disrupt access to needed medications. Your Committee further finds that when pharmacies are reimbursed below acquisition cost, they may be unable to sustainably dispense certain drugs, leading to delays, substitutions, or patients being forced to seek medications farther from home. This measure supports strong, enforceable oversight of maximum allowable cost pricing used by pharmacy benefit managers to improve transparency and fairness in prescription drug reimbursement.

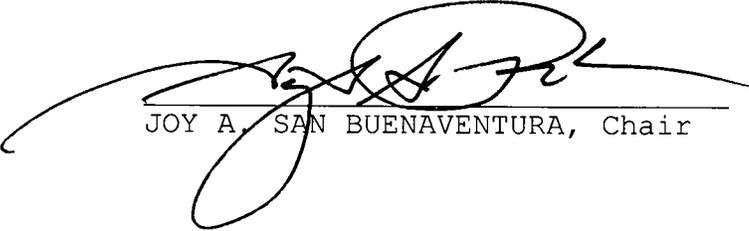
Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount for the Insurance Division of the Department of Commerce and Consumer Affairs to effectuate the purposes of this measure;
- (2) Inserting an effective date of January 30, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2047, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2047, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB 2047	Committee Referral: HHS, CPN	Date: 2/2/2026		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)	✓			
KANUHA, Dru Mamo	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt	✓			
TOTAL	5	0	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes