



GOV. MSG. NO. 1222

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 15, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 15, 2012, the following bill was signed into law:

SB2797 SD1 HD1 CD1

RELATING TO PSYCHOTROPIC MEDICATIONS
IN MEDICAID.

Act 120 (12)

Aloha
Sincerely,
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on JUN 15 2012

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

ACT : 20

S.B. NO. 2797
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO PSYCHOTROPIC MEDICATIONS IN MEDICAID.

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

1 SECTION 1. The number of individuals who require treatment
2 for mental health issues is growing. Prescription medications
3 such as psychotropic drugs have become increasingly expensive
4 and are not always effective for every patient. With the
5 current difficult economic climate, alternatives must be
6 explored to implement cost-saving measures while preserving an
7 appropriate level of care.

8 In 2010, the twenty-fifth legislature passed House Bill No.
9 2774, which was enacted as Act 205, Session Laws of Hawaii 2010.
10 Part I of Act 205 amended section 346-59.9, Hawaii Revised
11 Statutes, by allowing the requirement of trials of generic
12 antidepressant and anti-anxiety medications before covering such
13 brand name medications for new prescriptions while still
14 maintaining the requirement of medical assistance coverage of
15 brand name antipsychotic medications. The result has been to
16 preserve access to necessary medications while encouraging the
17 use of generic equivalents or comparatively effective generic
18 medications. However, Act 205 has a repeal date of June 30,

2012-2422 SB2797 CD1 SMA.doc



1 2012, at which time section 346-59.9 would be reenacted in the
2 form in which it read on the day prior to the act's effective
3 date.

4 The purpose of this Act is to make permanent the successful
5 changes to the psychotropic medication statute by repealing the
6 sunset date for those provisions in section 9 of Act 205.

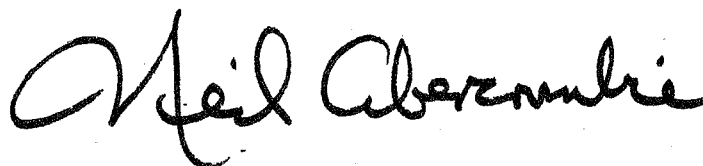
7 SECTION 2. Act 205, Session Laws of Hawaii 2010, is
8 amended by amending section 9 to read as follows:

9 "SECTION 9. This Act shall take effect on July 1, 2010;
10 provided that on June 30, 2012, part II and part III of this Act
11 shall be repealed and [~~sections~~] section 346-15 [~~and 346-59.9~~],
12 Hawaii Revised Statutes, shall be reenacted in the form in which
13 [~~they~~] it read on the day prior to the effective date of this
14 Act; and provided further that section 6 of this Act shall take
15 effect retroactive to May 1, 2010."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on June 29, 2012.

APPROVED this 15 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII