

Honolulu, Hawaii

FEB 18 2016

RE: S.B. No. 2319  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 2319 entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to require all  
insurers in the State, including health benefits plans under  
chapter 87A, Hawaii Revised Statutes, and Medicaid managed care  
programs, to cover a:

- (1) Three-month period for the first dispensing of  
prescription contraceptive supplies to an insured; and
- (2) Twelve-month period for the subsequent dispensing of the  
same contraceptive supply to the insured.

Your Committee received testimony in support of this measure  
from the Department of Health; Hawaii State Commission on the  
Status of Women; Hawaii State Coalition Against Domestic Violence;  
American Congress of Obstetricians and Gynecologists - Hawaii  
Section; American Association of University Women - Hawaii; Hawai'i  
Public Health Association; Women's Caucus of the Democratic Party  
of Hawai'i; Planned Parenthood Votes Northwest and Hawaii; Hawaii  
Medical Association; Hawaii Women's Coalition; Healthy Mothers,  
Healthy Babies; and six individuals. Your Committee received  
testimony in opposition to this measure from CVS Health. Your  
Committee received comments on this measure from the Department of  
Commerce and Consumer Affairs, Department of Human Services,



Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Chamber of Commerce Hawaii, Hawaii Medical Service Association, League of Women Voters, and one individual.

Your Committee finds that insurance companies typically cover a thirty- or ninety-day supply of prescription contraceptives. However, these coverage requirements may act as a barrier for women, especially those who live in rural areas, frequently travel, are unable to schedule regular visits to health care providers, or are unable to readily pick up their prescriptions. Your Committee further finds that providing a greater number of prescription contraceptive supplies at one time is associated with higher continuation rates, fewer pregnancy tests, fewer unplanned pregnancies, and decreased health care costs per woman.

Your Committee has heard the concerns regarding the required dispensing of an initial three-month supply followed by a twelve-month supply of prescription contraceptives, as proposed by this measure. According to testimony received by your Committee, there is a potential for waste with a mandatory three-month or twelve-month supply of contraceptive supplies, including if a patient experiences side effects or a medication is found to be less effective than previously thought. Your Committee understands these concerns and notes that the American Congress of Obstetricians and Gynecologists and the federal Centers for Disease Control and Prevention recommend prescribing or supplying up to one year of oral contraceptive supplies, based on a woman's preferences and anticipated use.

Accordingly, your Committee has amended this measure by:

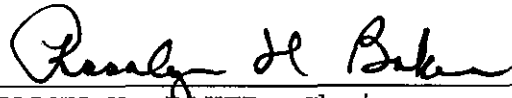
- (1) Removing language that would have required insurers to cover a three-month period for the first dispensing of prescription contraceptive supplies to an insured;
- (2) Clarifying that insurers are required to cover up to a twelve-month period of prescriptive contraceptive supplies for an insured; 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 Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the



intent and purpose of S.B. No. 2319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2319, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

|   |   |                                       |                                  |         |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:*   | Committee Referral:   | Date:                                 |                                  |         |
| SB2319  | CPH, WAM  | 2-11-16                               |                                  |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____ |   |                                       |                                  |         |
| The Recommendation is:  |   |                                       |                                  |         |
| <input type="checkbox"/> Pass, unamended<br>2312  | <input checked="" type="checkbox"/> Pass, with amendments<br>2311 | <input type="checkbox"/> Hold<br>2310 |                                  |         |
| <input type="checkbox"/> Recommit<br>2313   |   |                                       |                                  |         |
| Members   | Aye   | Aye (WR)                              | Nay                              | Excused |
| BAKER, Rosalyn H. (C)   | /   |                                       |                                  |         |
| KIDANI, Michelle N. (VC)  | /   |                                       |                                  |         |
| ESPERO, Will  | /   |                                       |                                  |         |
| IHARA, Jr., Les   | /   |                                       |                                  |         |
| NISHIHARA, Clarence K.  | /   |                                       |                                  |         |
| RUDERMAN, Russell E.  |   |                                       |                                  | /       |
| SLOM, Sam   |   |                                       | /                                |         |
|   |   |                                       |                                  |         |
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|   |   |                                       |                                  |         |
| <b>TOTAL</b>  | 5   |                                       | 1                                | 1       |
| Recommendation:   |   |                                       |                                  |         |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |   |                                       |                                  |         |
| Chair's or Designee's Signature:  |   |                                       |                                  |         |
| <i>Michelle N. Kidani</i>   |   |                                       |                                  |         |
| Distribution:   |   |                                       |                                  |         |
| Original<br>File with Committee Report  | Yellow<br>Clerk's Office  | Pink<br>Drafting Agency               | Goldenrod<br>Committee File Copy |         |

\*Only one measure per Record of Votes