

STAND. COM. REP. NO.

1665

Honolulu, Hawaii

, 2019

MAR 22

RE: S.B. No. 1401
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 1401, S.D. 2, H.D. 1,
entitled:

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

beg leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit pharmacy benefit managers from preventing the disclosure of the cost share of a prescription drug and the disclosure of a more affordable alternative by pharmacists or pharmacies to insureds; and
- (2) Prohibit retaliation from pharmacy benefit managers against pharmacists or pharmacies for such disclosure.

Times Pharmacy, Hawaii Pharmacists Association, and a few individuals testified in support of this measure. The Hawaii Association of Health Plans testified in opposition to this measure. The Department of Commerce and Consumer Affairs and CVS Health provided comments.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that

SB1401 HD1 HSCR CPC-JUD HMS 2019-3383



are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1401, S.D. 2, H.D. 1, and recommend that it be referred to your Committee on Finance.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,




CHRIS LEE, Chair



ROY M. TAKUMI, Chair



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: SB1401 SD2 HD1	Committee Referral: HCT, CPC/JUD, FIN	Date: 3/20/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom				/
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. MORIKAWA, Dee	/			
8. SAY, Calvin K.Y.	/			
9. TAKAYAMA, Gregg	/			
10. YAMANE, Ryan I.				/
11. THIELEN, Cynthia	/			
TOTAL (11)	9			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: 				
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