

Ka 'Aha Kenekoa
THE SENATE

Ka 'Aha 'Ōlelo Kanakolu
THE THIRTIETH LEGISLATURE

'Aha Kau Kānāwai 2020
REGULAR SESSION OF 2020

Ke Kōmike Ho'okolokolo
COMMITTEE ON JUDICIARY
Kenekoa/Senator Karl Rhoads, Luna Ho'omalū/Chair
Kenekoa/Senator Jarrett Keohokalole, Hope Luna Ho'omalū/Vice Chair

'Ōlelo Ho'olaha No Ka Ho'oholo Mana'o 'Ana
NOTICE OF DECISION MAKING

Lā / DATE: Pō'aluā, Pepeluali 25, 2020 / Tuesday, February 25, 2020
Hala / TIME: 12:30 p.m.
Wahi / PLACE: Lumi 'Aha Kūkā 016 / Conference Room 016
Ke Kapikala Moku'āina / State Capitol
415 South Beretania Street

Papa Kumuhana
A G E N D A

Ua pau ka/nā pila ma lalo nei i ka ho'olohe 'ia e nā kōmike i pili i ke/nā kumuhana o ia (mau) pila:
The following measure(s) were previously heard in their respective subject matter committees:

<u>SB 2228, SD1</u> <u>(SSCR2646)</u> <u>Status & Testimony</u>	RELATING TO FLAVORED PRODUCTS FOR ELECTRONIC SMOKING DEVICES. Establishes the offense of unlawful shipment of e-liquid products. Beginning July 1, 2020, prohibits the sale of flavored products for electronic smoking devices, the mislabeling of e-liquid products containing nicotine, and the sale of tobacco products other than through retail sales via a direct, in-person exchange between a retailer and consumer. Establishes penalties. Includes e-liquid and electronic smoking devices containing e-liquid within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. (SD1)	CPH, JDC
<u>SB 2273, SD1</u> <u>(SSCR2680)</u> <u>Status & Testimony</u>	RELATING TO TIME SHARING. Provides purchasers of time shares with rescission rights if there is a material change to the information contained in the disclosure statement. Requires developers to provide notice to the purchaser regarding any pertinent or material change made to the disclosure statement. (SD1)	CPH, JDC
<u>SB 2275, SD1</u> <u>(SSCR2839)</u> <u>Status & Testimony</u>	RELATING TO NOTARIAL ACTS. Updates laws concerning notaries public to conform to the Revised Uniform Law on Notarial Acts (2018), the Hawaii Uniform Electronic Transactions Act, other state notary laws, and current notary practices. Effective 7/1/2021. (SD1)	CPH/TEC, JDC

<p><u>SB 2276, SD1</u> <u>(SSCR2744)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PRESCRIPTION DRUGS. Requires drug manufacturers to notify the insurance commissioner, prescription drug benefit plans, and pharmacy benefit managers if a proposed increase in the wholesale price of certain drugs would result in a _____ per cent or more price increase over a two-year period. Requires the drug manufacturer to identify and report to the insurance commissioner information on certain drugs whose wholesale acquisition cost increases by a certain amount during a specified time frame. Requires the insurance commissioner to post price information on the Department of Commerce and Consumer Affairs website. Imposes fines. Effective 1/1/2050. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2278, SD1</u> <u>(SSCR2811)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH INSURANCE. Prohibits nonparticipating health care providers from balance billing patients in specific circumstances. Establishes rate calculation requirements for reimbursement of nonparticipating providers. Repeals January 2, 2025. Effective 1/2/2050. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2280, SD1</u> <u>(SSCR2747)</u> <u>Status & Testimony</u></p>	<p>RELATING TO PHARMACY BENEFIT MANAGERS. Prohibits certain contracts for managed care entered into after June 30, 2020, from containing a provision that authorizes a pharmacy benefit manager to reimburse a contracting pharmacy on a maximum allowable cost basis, and voids any such provisions in existing managed care contracts. Prohibits pharmacy benefit managers from engaging in self-serving or deceptive business practices. Prohibits pharmacy benefit managers from engaging in unfair methods of competition or unfair practices. Prohibits pharmacy benefit managers from retaining any portion of spread pricing. Prohibits a pharmacy benefit manager from reimbursing a 340B pharmacy differently than any other network pharmacy. Prohibits a pharmacy benefit manager from reimbursing an independent or rural pharmacy an amount less than the rural rate for each drug under certain circumstances. Prohibits a pharmacy benefit manager from prohibiting a pharmacist to provide certain information to insureds. Increases pharmacy benefit managers' annual reporting requirements. Requires the insurance commissioner to file annual reports with the legislature. Increases pharmacy benefit manager registration and renewal fees. Makes certain violations of pharmacy benefit managers subject to the penalties provided in chapter 480 and chapter 481, Hawaii Revised Statutes. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2284, SD1</u> <u>(SSCR2605)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH CARE INSURANCE. Prohibits a health care insurer, mutual benefit society, or health maintenance organization from requiring an insured, subscriber, member, or enrollee diagnosed with stage two through stage four cancer to undergo step therapy prior to covering the insured for the drug prescribed by the insured's health care provider, under certain conditions, for health insurance policies and contracts issued or renewed after 12/31/2020. (SD1)</p>	<p>CPH, JDC</p>

<p><u>SB 2421, SD1</u> <u>(SSCR2701)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CONDOMINIUM ASSOCIATIONS. Repeals the sunset provision of Act 195, Session Laws of Hawaii 2018, permanently codifying the amendments to the sections 514B-105, 514B-146, and 667-94, Hawaii Revised Statutes. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2422, SD1</u> <u>(SSCR2843)</u> <u>Status & Testimony</u></p>	<p>RELATING TO ROOFING CONTRACTORS. Prohibits roofing contractors from offering to pay, in any monetary form, an insured's insurance deductible as an incentive to encourage the insured to hire the contractor. Allows insureds to rescind contracts with roofing contractors within five business days of receiving notification from an insurer that all or any part of a claim or contract is not a covered loss under the insured's insurance policy. Allows the Contractors License Board to revoke, suspend, or refuse to renew a contractor's license if the contractor performs as a public adjuster. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2425, SD1</u> <u>(SSCR2699)</u> <u>Status & Testimony</u></p>	<p>RELATING TO CONDOMINIUMS. Repeals the sunset provision of Act 196, Session Laws of Hawaii 2018, making permanent the amendments to sections 514B-71(a), 514B-72(a), and 514B-161, Hawaii Revised Statutes. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2426, SD1</u> <u>(SSCR2594)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MEDICAL CANNABIS. Allows primary caregivers, qualifying out-of-state patients, and caregivers of a qualifying out-of-state patient to access the restricted access area within a medical cannabis retail dispensary. Clarifies violations related to medical cannabis dispensaries. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2538, SD1</u> <u>(SSCR2722)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE YOUTH VAPING EPIDEMIC. Bans the sale of flavored tobacco products. Prohibits mislabeling of e-liquid products containing nicotine. Establishes fines and penalties for violations. Authorizes a court to impose, as a penalty on a person eighteen to twenty-one years of age who is convicted of possession of a tobacco product or electronic smoking device, the requirement to complete a tobacco education program, complete a tobacco use cessation program, or perform community service instead of paying a fine. Requires a parent or guardian of a minor to select from among the penalties for a minor convicted of possession of a tobacco product or electronic smoking device. (SD1)</p>	<p>CPH/EDU, JDC</p>
<p><u>SB 2539, SD1</u> <u>(SSCR2668)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HEALTH CARE. Requires health insurers, mutual benefit societies, and health maintenance organizations to provide coverage for a comprehensive category of reproductive health services, drugs, devices, products, and procedures. Prohibits discrimination in the provision of reproductive health care services. Effective 1/2/2021. (SD1)</p>	<p>CPH, JDC</p>

<p><u>SB 2541, SD1</u> <u>(SSCR2771)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MASSAGE THERAPISTS. Beginning with the renewal for the licensing biennium commencing July 1, 2022, and every biennial renewal thereafter, requires massage therapy licensees to complete twelve hours of continuing education within the two-year period preceding the renewal date, two hours of which shall include first aid, cardiopulmonary resuscitation, or emergency related courses. Updates advertising restrictions and penalties. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2584, SD1</u> <u>(SSCR2555)</u> <u>Status & Testimony</u></p>	<p>RELATING TO DENTAL ASSISTANTS. Establishes minimum requirements for dental assistants. Clarifies the allowable and prohibited practices by dental assistants. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2787, SD1</u> <u>(SSCR2703)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MEDICAL CANNABIS. Authorizes the department of health to issue permits to medical cannabis dispensaries for the delivery of medical cannabis and manufactured cannabis products to qualifying patients or primary caregivers if certain conditions are met. Authorizes the department of health to issue medical cannabis transporter licenses in specific situations. (SD1)</p>	<p>CPH, JDC</p>
<p><u>SB 2878</u> <u>(SSCR2810)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MASSAGE THERAPY. Authorizes the Board of Massage Therapy to promulgate and enforce sanitation rules for massage establishments. Repeals section 452-19(a), Hawaii Revised Statutes, in favor of existing statutes that already treat unlicensed activity as a misdemeanor. Increases the minimum fine from \$100 to \$250 and the maximum fine from \$1,000 to \$2,000 for each violation.</p>	<p>CPH, JDC</p>
<p><u>SB 2917, SD1</u> <u>(SSCR2671)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Updates section 329-104(c), Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system. (SD1)</p>	<p>CPH/HMS, JDC</p>
<p><u>SB 2919, SD1</u> <u>(SSCR2622)</u> <u>Status & Testimony</u></p>	<p>RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Requires that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's electronic prescription accountability system. (SD1)</p>	<p>PSM/CPH, JDC</p>

He hālāwai ho'oholo mana'o wale nō, 'a'ohē 'ōlelo hō'ike ha'i waha e 'ae 'ia.

Decision making meeting only, no oral testimony will be accepted.

'O nā kānaka i makemake e waiho mai i 'ōlelo hō'ike i kikokiko/kākau 'ia, hiki nō a hiki i 24 hola ma mua o ka ho'omaka 'ana o ka hālāwai ho'oholo mana'o.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing.

E waiho mai i kāu 'ōlelo hō'ike no ke Kōmike Ho'okolokolo ma o ke kaomi 'ana ma 'ane'i.

Click [here](#) to submit testimony to the Senate Committee on Judiciary.

No Nā Papa 'Ōlelo Ho'olaha I Ho'ololi 'Ia: Kahawaena 'ia nā mea i kāpae 'ia a kahalalo 'ia nā mea i pāku'i 'ia. Kahawaena 'ia me ke kahalalo pū 'ia nā mea i kāpae 'ia mai ka papa kumumana'o.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

Inā pono ka mahele ‘ōlelo, a i ‘ole kekahi mau mea lawelawe ‘ē a‘e no ke komo ‘ana i nā hanana ma ka ‘aha ho‘olohe, e ha‘i mai i ke kākau ‘ōlelo kōmike he 24 hola ma ka li‘ili‘i loa ma mua o ka ‘aha ho‘olohe i mea e hiki ai ke ho‘omākaukau pono.

If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

No Ka ‘Ike ‘Ē A‘e, E Kelepona Aku I Ke Kākau ‘Ōlelo Kōmike Ma (808) 587-7211.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 587-7211.

Kenekoa/Senator Karl Rhoads
Luna Ho‘omalua/Chair