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## A BILL FOR AN ACT

RELATING TO REIMBURSEMENT OF PHARMACISTS.

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

1           SECTION 1. The legislature finds that there is a need for  
2 more access to healthcare professionals, particularly registered  
3 pharmacists, who can safely provide certain health care services  
4 to achieve positive outcomes for patients. Registered  
5 pharmacists can administer routine drug therapy-related patient  
6 assessment procedures, order drug therapy-related laboratory  
7 tests; initiate emergency contraception oral drug therapy;  
8 administer immunizations and vaccines or other drugs orally,  
9 topically, by intranasal delivery, or by injection, including  
10 vaccines to persons between fourteen and seventeen years of age;  
11 initiate or adjust the drug regimen of a patient; and provide  
12 consultation, information, or education to patients and health  
13 care professionals. Improving quality of life and health  
14 outcomes in a cost-effective manner are important goals of the  
15 evolving health care system. Proper use of medications is  
16 essential to meeting these goals, especially for those with  
17 chronic conditions requiring complex medication therapies.



1           The legislature further finds that pharmacists and  
2 pharmacists' patient care services are not included in key  
3 sections of the Social Security Act, which determines  
4 eligibility for health care programs such as Medicare Part B. In  
5 the case of Medicare Part B, the omission of pharmacists as  
6 listed providers limits Medicare beneficiaries' access to  
7 pharmacists' services in the outpatient setting. Many state and  
8 private health plans often cite the omission from Medicare Part  
9 B as a reason for lack of coverage for beneficiaries or lack of  
10 compensation of pharmacists for providing comprehensive,  
11 patient-centered care.

12           The legislature further finds that the disciplines of  
13 medicine and nursing and the roles of registered pharmacists are  
14 complementary. Ultimately, the interests of patients are well  
15 served when registered pharmacists are included as an essential  
16 component of the primary health care team.

17           The purpose of this Act is to recognize the practice and  
18 services provided by registered pharmacists for insurance  
19 coverage purposes.



1 SECTION 2. Chapter 431, article 10A, Hawaii Revised  
2 Statutes, is amended by adding a new section to be appropriately  
3 designated and to read as follows:

4 "§431:10A- Registered pharmacists' services. (a) Each  
5 policy of accident and health or sickness insurance delivered or  
6 issued for delivery in this State shall recognize registered  
7 pharmacists, as defined under section 461-1, as participating  
8 providers and shall include coverage for care provided by  
9 participating registered pharmacists practicing within the scope  
10 of their licenses for purposes of health maintenance to the  
11 extent that the policy provides benefits for identical services  
12 rendered by another health care provider.

13 (b) For the purposes of this section, "participating  
14 registered pharmacists" means registered pharmacists who have  
15 contracted with the insurer to provide healthcare services to  
16 its insureds."

17 SECTION 3. Chapter 432, article 1, Hawaii Revised  
18 Statutes, is amended by adding a new section to be appropriately  
19 designated and to read as follows:

20 "§432:1- Registered pharmacists' services. (a) Each  
21 individual and group hospital or medical service plan contract



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1 delivered or issued for delivery in this State by a mutual  
2 benefit society shall recognize registered pharmacists, as  
3 defined under section 461-1, as participating providers and  
4 shall include coverage for care provided by participating  
5 registered pharmacists practicing within the scope of their  
6 licenses for purposes of health maintenance to the extent that  
7 the plan contract provides benefits for identical services  
8 rendered by another health care provider.

9 (b) For the purposes of this section, "participating  
10 registered pharmacists" means registered pharmacists who have  
11 contracted with the mutual benefit society to provide healthcare  
12 services to its members."

13 SECTION 4. Chapter 432, article 2, Hawaii Revised  
14 Statutes, is amended by adding a new section to be appropriately  
15 designated and to read as follows:

16 "§432:2- Registered pharmacists' services. (a) Each  
17 benefit contract delivered or issued for delivery in this State  
18 by a fraternal benefit society shall recognize registered  
19 pharmacists, as defined under section 461-1, as participating  
20 providers and shall include coverage for care provided by  
21 participating registered pharmacists practicing within the scope



1 of their licenses for purposes of health maintenance to the  
2 extent that the benefit contract provides benefits for identical  
3 services rendered by another health care provider.

4 (b) For the purposes of this section, "participating  
5 registered pharmacists" means registered pharmacists who have  
6 contracted with the fraternal benefit society to provide  
7 healthcare services to its contract owners."

8 SECTION 5. Section 432D-23, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 **"§432D-23 Required provisions and benefits.**

11 Notwithstanding any provision of law to the contrary, each  
12 policy, contract, plan, or agreement issued in the State after  
13 January 1, 1995, by health maintenance organizations pursuant to  
14 this chapter, shall include benefits provided in sections  
15 431:10-212, 431:10A-115, 431:10A-115.5, 431:10A-116, 431:10A-  
16 116.2, 431:10A-116.5, 431:10A-116.6, 431:10A-119, 431:10A-120,  
17 431:10A-121, 431:10A-122, 431:10A-125, 431:10A-126, 431:10A-132,  
18 431:10A-133, 431:10A-140, 431:10A-\_\_\_\_\_, and 431:10A-134, and  
19 chapter 431M."

20 SECTION 6. The insurance commissioner shall submit a  
21 report of findings and recommendations of the effects of this



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1 Act to the legislature not later than twenty days prior to the  
2 convening of the regular session of 2019.

3 SECTION 7. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6 SECTION 8. New statutory material is underscored.

7 SECTION 9. This Act shall take effect upon its approval.  
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INTRODUCED BY:

*[Signature]*  
*[Signature]*

*Cindy Evans*

*[Signature]*

*[Signature]*

*[Signature]*

JAN 19 2017



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**Report Title:**

Health Care Insurance; Pharmacy Services

**Description:**

Requires insurers, mutual and fraternal benefit societies, and health maintenance organizations to recognize services provided by pharmacists.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

