



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **795**

July 3, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on July 3, 2006, the following bill was signed into law:

SB3003 SD2 HD2 CD1

A BILL FOR AN ACT RELATING TO THE STATE
PHARMACY ASSISTANCE PROGRAM.
(ACT 264)

Sincerely,


LINDA LINGLE

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 3003
S.D. 2
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO THE STATE PHARMACY ASSISTANCE PROGRAM.

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

1 SECTION 1. Section 346-343, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) All residents of the State shall be eligible to
4 participate in the state pharmacy assistance program; provided
5 that the applicant:

- 6 (1) Is a resident of Hawaii;
- 7 (2) Is sixty-five years or older, or is disabled and
8 receiving a social security benefit;
- 9 (3) Has a household income at or below one hundred fifty
10 per cent of the federal poverty level;
- 11 (4) Meets the asset test; and
- 12 (5) Is not a member of a retirement plan who is receiving
13 a benefit from the Medicare Modernization Act.

14 (b) State pharmacy assistance program applicants who are
15 enrolled in any other public assistance program providing
16 pharmaceutical benefits, other than the Medicare Modernization
17 Act[7] and medicaid, shall be ineligible for the state pharmacy
18 assistance program as long as they receive pharmaceutical



1 benefits from that other public assistance program, unless the
2 applicant is eligible for medicare. Residents who qualify for,
3 or are enrolled in, the Hawaii [+]Rx plus program[+] shall be
4 eligible for the state pharmacy assistance program; provided
5 that they meet all other state pharmacy assistance program
6 requirements."

7 SECTION 2. Section 346-344, Hawaii Revised Statutes, is
8 amended by amending subsections (a) and (b) to read as follows:

9 "(a) For persons meeting the eligibility requirements in
10 section 346-343, the state pharmacy assistance program may pay
11 all or some of the co-payments required under the federal
12 medicare part D pharmacy benefit program, subject to [~~receipt of~~
13 ~~sufficient rebates pursuant to section 346-342(g),~~] the
14 sufficiency of funds in the state pharmacy assistance program
15 special fund, as determined by the department.

16 (b) The state pharmacy assistance program is the payor of
17 last resort subject to [~~receipt of sufficient rebates pursuant~~
18 ~~to section 346-342(g),~~] the sufficiency of funds in the state
19 pharmacy assistance program special fund, as determined by the
20 department."

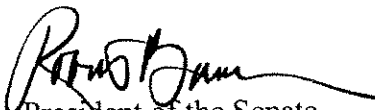
21 SECTION 3. Section 346-344, Hawaii Revised Statutes, is
22 amended by amending subsection (c) to read as follows:



THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

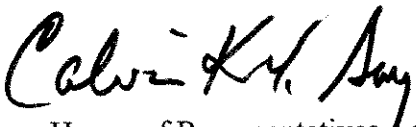

President of the Senate



Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


Speaker, House of Representatives


Clerk, House of Representatives