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# 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 [+]Rx plus program[+] shall be eligible  
4 for the state pharmacy assistance program; provided that they  
5 meet all other state pharmacy assistance program requirements."

6 SECTION 2. Section 346-344, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "[+]§346-344[+] **Benefits.** (a) For persons meeting the  
9 eligibility requirements in section 346-343[7] with household  
10 incomes of not more than one hundred fifty per cent of the  
11 federal poverty level, the state pharmacy assistance program may  
12 pay all or some of the co-payments required under the federal  
13 medicare part D pharmacy benefit program, subject to ~~[receipt of~~  
14 ~~sufficient rebates pursuant to section 346-342(g),]~~ the  
15 sufficiency of funds in the state pharmacy assistance program  
16 special fund, as determined by the department.

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

21 (c) The state pharmacy assistance program shall be funded  
22 with state appropriations ~~[derived from revenues to the State~~



1 ~~from rebates paid by pharmaceutical manufacturers pursuant to~~  
2 ~~section 346-342(g), which may affect the level of benefits to~~  
3 ~~program enrollees pursuant to subsection (a) depending on the~~  
4 ~~amount of the rebates received by the State to cover all program~~  
5 ~~benefits and costs of administering the program.] and revenues~~  
6 ~~to the State derived from rebates paid by pharmaceutical~~  
7 ~~manufacturers pursuant to section 346-342(g)."~~

8 SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

State Pharmacy Assistance Program

**Description:**

Extends income eligibility requirement to 150 percent of the federal poverty level. (HB3144 HD1)

