

Honolulu, Hawaii

March 24, 2006

RE: S.B. No. 3224
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Health and Human Services, to which was referred S.B. No. 3224, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION,"

beg leave to report as follows:

The purpose of this bill is to improve access to psychotropic medications under specific circumstances by strengthening Act 239, Session Laws of Hawaii (SLH) 2005, which increased access for a limited period of three years. Specifically this bill:

- (1) Removes the requirement that a physician must consult with a psychiatrist before prescribing a psychotropic medication;
- (2) Provides access to these medications for all participants in all Hawaii Medicaid medical plans, not just for QUEST plans;
- (3) Makes Act 239, SLH 2005, and these amendments permanent.

The Hawaii Disability Rights Center, National Alliance on Mental Illness, Oahu, Waipahu Aloha Clubhouse, and Hawaii Psychiatric Medical Association supported this bill. The Department of Human Services (DHS) supported the intent of this measure. The Hawaii Association of Health Plans, and Kaiser



Permanente opposed this bill. The Department of the Attorney General and Hawaii Medical Service Association provided comments.

Your Committees have amended this bill by, among other things:

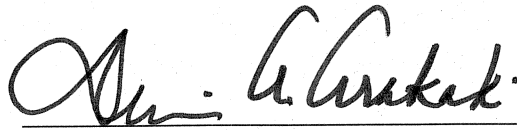
- (1) Prohibiting DHS from restricting a physician's ability to treat a mental health consumer by using any prior or retroactive approval process, restrictive formulary, therapeutic substitution, or preferred drug list;
- (2) Broadening the application of the prohibition in paragraph (1) to apply to all Hawaii medical plans, not just those under DOH;
- (3) Reestablishing the sunset date of June 30, 2007; and
- (4) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3224, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3224, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services,



ALEX M. SONSON, Chair



DENNIS A. ARAKAKI, Chair



