

STAND. COM. REP. NO.

2824

Honolulu, Hawaii

MAR 19 2010

RE: H.B. No. 2774
H.D. 2
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Human Services and Health, to which was referred H.B. No. 2774, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HUMAN SERVICES,"

beg leave to report as follows:

The purpose of this measure is to require the Department of Human Services to include specific provisions in each contract with managed care organizations for the provision of Medicaid benefits under QUEST plans. Specifically, this measure provides for a co-pay to be applied to services provided to QUEST benefit recipients.

Testimony in opposition to this measure was submitted by the Department of Human Services and the Hawaii Primary Care Association. Comments on this measure were submitted by the Hawaii Medical Service Association. Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that the State's worsening economy has impacted many state programs, including those overseen by the Department of Human Services which serves the neediest populations in Hawaii. To avoid deep and pervasive cuts to certain programs, your Committees find that other alternatives should be explored such as reducing some benefits in specific areas to save benefits in other areas. Your Committees also find that in a time of severe economic crisis, it is improper for any funds already



allocated for Medicaid programs to be diverted to non-Medicaid programs.

Accordingly, your Committees have amended this measure by:

- (1) Inserting a section that requires the Department of Human Services to regulate antidepressant medications and to eliminate open access to all psychotropic medications other than antidepressants and antipsychotics;
- (2) Limiting the Department of Human Services and its contracted health plans' authority to impose restrictions or limitations on the coverage for, or a recipient's access to, only psychotropic medications that are antipsychotic medications and, with certain exceptions, antidepressant medications;
- (3) Prohibiting the Department of Human Services and its contracted health plans from requiring stable individuals on brand-name antidepressants or anti-anxiety medication to switch to a different antidepressant or anti-anxiety, respectively, with certain exceptions;
- (4) Amending the Department of Human Services' reporting requirements regarding the number and cost of prescriptions written pursuant to section 346-59.9, Hawaii Revised Statutes, relating to psychotropic medication;
- (5) Inserting a section that allows the Department of Human Services to issue death benefits in an amount equal to the Social Security Administration's lump-sum death benefit if an individual:
 - (A) Was receiving medical or financial assistance at the time of death; and
 - (B) Is ineligible to receive the Social Security Administration's lump-sum death benefit;
- (6) Inserting a provision that prohibits the Department of Human Services from spending Medicaid moneys on any

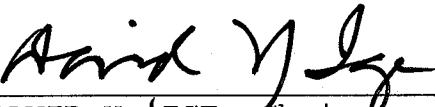


programs other than Medicaid-related programs and programs approved by the Legislature;

- (7) Amending the effective date to July 1, 2050, to promote further discussion; and
- (8) Making technical, nonsubstantive stylistic changes for clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2774, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2774, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

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



DAVID Y. IGE, Chair

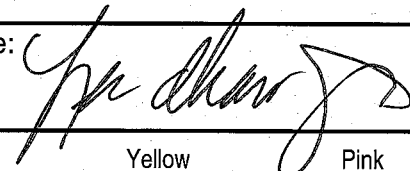


SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Fifth Legislature
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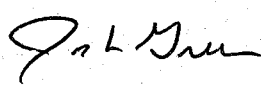
Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2774 HD2	HMS/HTH, WAM	3-15-10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
GREEN, M.D., Josh	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

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HB 2774 HD2	HMS / HTH, WAM	3/15/10		
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The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred				✓
TOTAL	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes