

Honolulu, Hawaii

March 12, 2010

RE: S.B. No. 2494
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2494, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this bill is to require health insurers to offer to continue coverage for certain prescription drugs that the insured's physician determines to be medically necessary when the insured changes insurers.

Mental Health America of Hawaii, American Cancer Society, The Alliance for Plasma Therapies, Neuropathy Action Foundation, Hawaii Medical Association, and a concerned individual testified in support of this bill. A concerned individual supported the intent of this measure. The Department of Commerce and Consumer Affairs, Department of Human Services, The Chamber of Commerce of Hawaii, Ohana Health Plan, Hawaii Medical Services Association, and Hawaii Association of Health Plans opposed this bill.

Your Committee has amended this bill by replacing its entire contents with House Bill (H.B.) No. 2461, House Draft (H.D.) 2. H.B. No. 2461, H.D. 2 differs by:

- (1) Limiting the scope of the prescription drug provisions to workers under the Employee-Union Health Benefits Trust Fund (EUTF) and requiring EUTF during enrollment

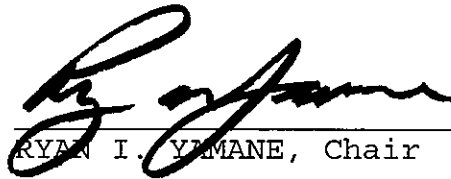


periods to offer to continue the same prescription drug coverage for currently enrolled employee-beneficiaries and dependent-beneficiaries;

- (2) Retroactively applying the prescription drug provisions to EUTF open enrollment periods ending in 2009;
- (3) Eliminating the condition that the prescription drug coverage must be deemed medically necessary;
- (4) Prohibiting the Department of Health from requiring its approval for Medicaid or Quest health plans to deliver services through telehealth and in-person visits to qualify any telehealth service for coverage under these plans; and
- (5) Taking effect on July 1, 2020.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2494, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2494, S.D. 2, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health,



RYAN I. YIMANE, Chair



Record of Votes of the Committee on Health

Bill/Resolution No.: SB 2494, SD 2	Committee Referral: HLT, CPC, FIN	Date: 3/9/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. BELATTI, Della Au	/			
4. BERTRAM, Joe, III				/
5. BROWER, Tom	/			
6. CARROLL, Mele				/
7. MIZUNO, John M.	/			
8. SHIMABUKURO, Maile S.L.	/			
9. FINNEGAN, Lynn		/		
TOTAL (9)	6	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				