

STAND. COM. REP. NO.

622

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 449
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 449, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PATIENT PRESCRIPTION INFORMATION,"

begs leave to report as follows:

The purpose of this measure is prohibit records relating to prescription information containing patient-identifiable and prescriber-identifiable data from being licensed, transferred, used, or sold by any pharmacy benefits manager, insurance company, electronic transmission intermediary, state licensed pharmacy, state licensed physician or osteopathic physician, or other similar entity, for commercial purposes, except as specifically provided.

Your Committee finds that it is essential to protect private patient medical information from sale, which is usually a commercial profit-making activity, to pharmaceutical companies.

Your Committee has amended this measure by:

- (1) Allowing third party insurance providers to access prescription information records;
- (2) Deleting references to the Regulated Industries Complaints Office which leaves references to the Department of Commerce and Consumer Affairs; and



(3) Making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 449, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 449, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

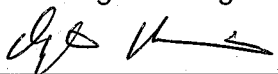


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 449, SD 1	CPN, JGO	2/26/09		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam	✓			
TOTAL	4	0	0	2
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