
A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUG.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 431, Hawaii Revised Statutes, is
2 amended by adding a new section to Article 10A to be
3 appropriately designated and to read as follows:

4 "§431:10A- Prescription drug prior authorization. (a)
5 No later than July 1, 2013, the director of human services shall
6 develop a uniform prior authorization form for prescription
7 drugs that are prescribed for the purpose of treating diabetes
8 or any form of cancer. The director of human services shall
9 consult with health care insurance providers, prescribers, and
10 The Hawaii Pharmacists Association when developing the uniform
11 prior authorization form, and shall take into consideration
12 existing prior authorization forms established by the federal
13 Centers for Medicare and Medicaid Services and national
14 standards pertaining to electronic prior authorization.

15 (b) The uniform prior authorization form shall meet the
16 following criteria:

17 (1) The form shall not exceed two pages;



1 (2) The form shall be made electronically available by the
2 department, health care insurance providers,
3 prescribers, and dispensers; and

4 (3) The completed form may be electronically submitted
5 from prescribers to health care insurance providers.

6 (c) With respect to prescription drugs that are prescribed
7 for the purpose of treating diabetes or any form of cancer,
8 notwithstanding any other law to the contrary:

9 (1) Commencing January 1, 2014, health care insurance
10 providers that provide prescription drug benefits
11 shall accept only the uniform prior authorization form
12 when requiring authorization for prescription drug
13 benefits; and

14 (2) Commencing January 1, 2014, every prescriber shall use
15 the uniform prior authorization form to request prior
16 authorization coverage for prescription drug benefits
17 and every health care insurance provider shall accept
18 the form as sufficient to request prior authorization
19 for prescription drug benefits.

20 (d) If a health care insurance provider fails to utilize
21 or accept the uniform prior authorization form, or fails to
22 respond within seventy-two hours upon receipt of a completed



1 uniform prior authorization request from a prescriber, the prior
2 authorization request shall be deemed to have been granted.

3 (e) For the purposes of this section:

4 "Department" means the department of human services.

5 "Dispenser" means a practitioner who dispenses.

6 "Health care insurance provider" means any insurance
7 company, fraternal benefit society, health care service plan,
8 health maintenance organization, or any other entity delivering
9 or issuing accident and health or sickness insurance, as defined
10 in section 431:1-205.

11 "Prescriber" means any physician, dentist, dispenser,
12 hospital, or other person or institution licensed and registered
13 in this State to issue a prescription.

14 (f) The department may adopt rules pursuant to chapter 91
15 to effectuate the purpose of this section."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Prior Authorization; Insurance; Prescription Drugs

Description:

Requires the Director of Human Services to develop by July 1, 2013, a uniform prior authorization form for prescription drugs that are prescribed for treating diabetes or any form of cancer. Beginning January 1, 2014, requires the uniform prior authorization form to be used by prescribers and health care insurance providers. Effective July 1, 2050. (SB2436 HD1)

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