

Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 1964
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1964, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to reduce the cost of chemotherapy for cancer patients, including non-generic medications, under health-insurance plans.

The Hawaii Medical Association, Hawaii Medical Service Association, and American Cancer Society supported this bill. The Department of Budget and Finance supported the intent of this measure. The Department of Commerce and Consumer Affairs and Kaiser Permanente Hawaii submitted comments.

After careful consideration, your Committee has amended this bill by, among other things:

- (1) Clarifying that the affected provisions of Hawaii Revised Statutes in this bill apply to cancer treatment in general and not solely chemotherapy services;
- (2) Clarifying that health-insurance plans must provide payment or reimbursement for all types of chemotherapy--not necessarily the entire cost of the chemotherapy treatment--that are considered medically necessary;



- (3) Specifically prohibiting insurers from raising the cost of intravenously administered chemotherapy to comply with the provisions in this bill;
- (4) Broadening the definition of "cost-share" or "cost-sharing" beyond only oral, intravenous, or injected non-generic cancer medications; and
- (5) Making technical, nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1964, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1964, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



