

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 65

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 65
entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,"

begs leave to report as follows:

The purpose of this measure is to protect the pharmaceutical
rights of Hawaii's residents and ensure patient choice. Among
other things, this bill:

- (1) Allows individual beneficiaries enrolled in any
prescription drug benefits plan within the State,
including the Hawaii Employer-Union Health Benefits
Trust Fund health benefits plan, to opt out of a plan
requirement to purchase prescriptions by mail order and
in the alternative purchase prescriptions drugs at a
retail pharmacy;
- (2) Prohibits a pharmacy benefit management company from
restricting a patient's choice of pharmacy from which to
receive prescription medications; and
- (3) Prohibits a pharmacy benefit manager from manipulating
the amounts of drug co-payments that it charges in a
manner that would encourage beneficiaries to receive
prescription medications through a mail-order pharmacy.



The National Community Pharmacists Association, Hawaii Community Pharmacists Association, Walgreen Company, Hawaii Food Industry Association, Hawaii Medical Association, Molokai Drugs, Inc., and several concerned individuals testified in support of this bill. The Hawaii Medical Service Association, CVS Caremark Corporation, and Express Scripts testified in opposition to this measure. A concerned individual provided comments.

Your Committee has amended this bill by changing its effective date to July 1, 2050, to encourage further discussion.

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 H.B. No. 65, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 65, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

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



DELLA AU BELATTI, Chair



