

HOUSE OF REPRESENTATIVES
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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2018 MAR 20 P 4:54

SECRET - IT-113
REPRESENTATIVES

AMENDED NOTICE OF HEARING

DATE: Wednesday, March 21, 2018
TIME: 2:15 P.M.
PLACE: Conference Room 329
 State Capitol
 415 South Beretania Street

A M E N D E D A G E N D A

The following measure(s) has been **ADDED** to the agenda: **SB3082 SD1, HD1**, and **SB2938, SD1**.

<u>SB 535, SD2</u> <u>(SSCR822)</u> <u>Status</u>	RELATING TO HEARING AIDS. Requires health insurance policies and contracts issued after 12/31/18 to provide coverage for the cost of hearing aids at a minimum of \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months. Takes effect on 6/1/2050. (SD2)	CPC, FIN
<u>SB 738, SD1, HD1</u> <u>(HSCR1148-18)</u> <u>Status</u>	RELATING TO HEALTH CARE PRACTITIONERS. Expands the pool of orthodontists who are eligible to perform medically necessary orthodontic services for treatment of certain orofacial anomalies covered by health insurance. (SB738 HD1)	HHS, CPC, FIN
<u>SB 2053, SD1, HD1</u> <u>(HSCR1185-18)</u> <u>Status</u>	RELATING TO ATHLETIC TRAINERS. Makes permanent the regulation of athletic trainers. (SB2053 HD1)	IAC, CPC, FIN
<u>SB 2108, SD1, HD1</u> <u>(HSCR1147-18)</u> <u>Status</u>	RELATING TO HEALTH CARE ASSISTANCE. Requires the Department of Human Services to provide a tiered level of health care premium assistance for individuals depending on their family's income as compared to the federal poverty level. (SB2108 HD1)	HHS, CPC, FIN



SB 2496, SD1, HD1
(HSCR1174-18)
Status

RELATING TO BEHAVIOR ANALYSIS.
Allows adults with autism spectrum disorders to receive appropriate applied behavior analysis treatment, while simultaneously providing safeguards for consumer protection. Exempts from licensure requirements for behavior analysis certain individuals who implement applied behavior analysis services or plans under the oversight or direction of others. Updates and standardizes the terminology used to refer to behavior analysts. (SB2496 HD1)

HHS, CPC, FIN

SB 2646, SD1, HD1
(HSCR1207-18)
Status

RELATING TO PRESCRIPTION DRUGS.
Requires prescribers of certain controlled substances to consult the electronic prescription accountability system before issuing a prescription for the controlled substance. Provides exemptions for certain circumstances. Provides that a violation by a prescriber shall not be subject to criminal penalty provisions but that a violation may be grounds for professional discipline pursuant to sections 448-17, 453-8, 457-12, and 471-10 Hawaii Revised Statutes. (SB2646 HD1)

HHS, CPC, JUD

SB 2653, SD1
(HSCR1184-18)
Status

RELATING TO CHAPTER 453, HAWAII REVISED STATUTES.
Establishes requirements for licensure by endorsement for physicians, surgeons, and osteopathic physicians. Appropriates moneys. Effective 7/1/2050. (SD1)

IAC/HHS, CPC,
FIN

SB 2659, SD1, HD1
(HSCR1202-18)
Status

RELATING TO MEDICAL CANNABIS PRODUCTS.
Updates transdermal patches to transdermal devices in section 329D-10, Hawaii Revised Statutes, thereby including non-patch devices that deliver through the dermis. Adds cannabinoid suppositories to the list of cannabis products that may be manufactured and distributed by dispensaries. (SB2659 HD1)

HHS, CPC, FIN

SB 2660, HD1
(HSCR1181-18)
Status

RELATING TO MEDICAL COVERAGE.
Expedites workers' compensation claims by firefighters by requiring the injured firefighter's private insurance to pay the costs of a controverted claim, subject to reimbursement upon a later finding that the claim is compensable. Requires reimbursement of up to 137 percent of the Medicare reimbursement rate for claims for certain specified types of cancer. (SB2660 HD1)

LAB, CPC, FIN

SB 2891, SD1, HD1
(HSCR1176-18)
Status

RELATING TO TELEHEALTH.
Requires the Department of Health to conduct a telehealth pilot project and publish an evaluation report on the pilot project outcomes. Exempts the pilot project from the State Procurement Code for a period of twelve months. (SB2891 HD1)

HHS, CPC, FIN

SB 2910, SD2, HD1
(HSCR1191-18)
Status

RELATING TO ELECTRIC GRID RESILIENCY.
Creates a \$50,000,000 revolving line of credit sub-fund under the umbrella of the Green Energy Market Securitization Loan Fund for any state agency or department to finance energy efficiency measures. Establishes the Grid Resiliency Loan Program and a Grid Resiliency Task Force to prepare the State's electrical grid for natural disasters and other emergencies. Establishes a Grid Resiliency Loan Special Fund to provide funding for critical infrastructure. (SB2910 HD1)

EEP, CPC, FIN



SB 2924, SD2, HD1
(HSCR1175-18)
Status RELATING TO HEALTH INSURANCE. HHS, CPC, FIN
Establishes an individual mandate for certain qualified taxpayers to sign up for and maintain health insurance throughout the year, or pay a penalty on their individual income tax return. Provides a religious exemption. Sunsets on 12/31/2023. Effective 7/1/3000. (SB2924 HD1)

SB 3104, SD2, HD1
(HSCR1205-18)
Status RELATING TO PHARMACY BENEFIT MANAGERS. HHS, CPC, FIN
Establishes requirements for pharmacy benefit managers and maximum allowable cost, including the ability of pharmacies to receive comprehensive maximum allowable cost lists and bring complaints within the purview of the Department of Commerce and Consumer Affairs, rather than the Department of Health. Requires pharmacy benefit managers to disclose where an equivalent drug can be obtained at or below the maximum allowable cost when a maximum allowable cost is upheld on appeal. Allows contracting pharmacies to reverse and rebill claims if the pharmacy benefit manager establishes a maximum allowable cost that is denied on appeal and is required to pay the difference to the contracting pharmacies. Preserves the prohibition of a contracting pharmacy from disclosing the maximum allowable cost list and related information to any third party. (SB3104 HD1)

SB 2056, SD2, HD1
Proposed HD2
Status RELATING TO HEALTH. HHS, CPC, FIN
Proposed HD2: Clarifies restaurants that sell children's meals that include a beverage for a single price may make the default beverage a healthy beverage.

Copies of the proposed HD2 are available in room 320 and on the Legislature's Web site: <http://www.capitol.hawaii.gov>.

SB 3025, SD1
Proposed HD1
Status RELATING TO CONSUMER PROTECTION. CPC, FIN
Proposed HD1: Requires franchisees to disclose their non-participation in advertising campaigns of the franchisor in which discounts or promotions are offered. Prohibits franchisors from limiting or restricting the disclosures.

Copies of the proposed HD1 are available in room 320 and on the Legislature's Web site: <http://www.capitol.hawaii.gov>.

DECISION MAKING TO FOLLOW

The following measure(s) were previously heard on Tuesday, March 20, 2018. No public testimony will be accepted.

SB 3082, SD1, HD1
(HSCR1187-18)
Status RELATING TO VIRTUAL CURRENCY. IAC, CPC, FIN
Adopts the Uniform Regulation of Virtual Currency Businesses Act and codifies the Act. Amends the Money Transmitters Act to expressly apply to persons engaged in the transmission of virtual currency. Requires a licensee dealing with virtual currency to provide a warning to a consumer prior to entering into an agreement with the consumer. (SB3082 HD1)

SB 2938, SD1
(SSCR2531)
Status RELATING TO INSURANCE REGULATORY VARIANCE. CPC, FIN
Permits the insurance commissioner to approve applications for no action letters, waivers, or variances with respect to specific requirements of the insurance code or its rules when certain conditions are met. (SD1)



Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.

While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 5 copies (including an original) to Room 327 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-6221 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 20MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6325 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.



Rep. Roy M. Takumi
Chair

