

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, February 23, 2021
TIME: 9:30 AM
PLACE: Conference Room 229 & Videoconference
TIMESLOT: CPN

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 PANDEMIC

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A G E N D A

The following measure(s) were previously heard in their respective subject matter committees:

SB 132, SD1 (SSCR464) Status & Testimony	RELATING TO WATER POLLUTION. Beginning January 1, 2023, bans the sale, offer of sale, or distribution in the State of any sunscreen that contains avobenzene or octocrylene, or both, without a prescription issued by a licensed healthcare provider to preserve marine ecosystems. (SD1)	AEN, CPN
SB 244, SD1 (SSCR459) Status & Testimony	RELATING TO FOOD DONATION. Expands liability protection for donors to include donations of food and similar donations made to needy persons by organizations. Authorizes the donation of expired food when the donor reasonably believes in good faith that the food remains fit for human consumption. (SD1)	AEN/HTH, CPN
SB 489 (SSCR272) Status & Testimony	RELATING TO AGRICULTURAL BUILDINGS. Increases the maximum area for each agricultural shade cloth structure, cold frame, and greenhouse that could qualify the structure for an exemption from building permit and building code requirements.	AEN/PSM, CPN
SB 340 (SSCR332) Status & Testimony	RELATING TO AGRICULTURAL LANDS. Amends certain land subdivision and condominium property regime laws related to agricultural land, as recommended pursuant to Act 278, Session Laws of Hawaii 2019, to ensure condominium property regime projects within the agricultural district are used for agricultural purposes.	AEN/WTL, CPN

<p><u>SB 602, SD1</u> (SSCR493) Status & Testimony</p>	<p>RELATING TO PHARMACY BENEFIT MANAGERS. Prohibits certain contracts for managed care entered into after June 30, 2021, from containing a provision that authorizes a pharmacy benefit manager to reimburse a contracting pharmacy on a maximum allowable cost basis, and voids any such provisions in existing managed care contracts. Prohibits pharmacy benefit managers from engaging in unfair methods of competition or unfair practices. Prohibits a pharmacy benefit manager from reimbursing a 340B pharmacy differently than any other network pharmacy. Prohibits a pharmacy benefit manager from reimbursing an independent or rural pharmacy an amount less than the rural rate for each drug under certain circumstances. Prohibits a pharmacy benefit manager from prohibiting a pharmacist to provide certain information to insureds. Increases pharmacy benefit managers' annual reporting requirements. Requires the insurance commissioner to file annual reports with the legislature. Increases pharmacy benefit manager registration and renewal fees by an unspecified amount. Makes certain violations of pharmacy benefit managers subject to the penalties provided in chapters 480 and 481, Hawaii Revised Statutes. Effective 7/1/2050. (SD1)</p>	<p>HTH, CPN</p>
<p><u>SB 827, SD1</u> (SSCR532) Status & Testimony</p>	<p>RELATING TO BREAST CANCER SCREENING. Increases the categories of women required to be covered for mammogram screenings. Requires the existing health insurance mandate for coverage of low-dose mammography to include digital mammography and breast tomosynthesis. Defines "digital breast tomosynthesis". Requires health care providers to be reimbursed at rates accurately reflecting the resource costs specific to each service, including any increased resource cost after January 1, 2021. Effective 7/1/2050. (SD1)</p>	<p>HTH, CPN</p>
<p><u>SB 975, SD1</u> (SSCR499) Status & Testimony</p>	<p>RELATING TO PHARMACY AUDITS. Establishes procedures for audits of pharmacies conducted by a health care provider, insurance company, third-party payor, sickness insurance provider, mutual benefit society, dental service corporation, health maintenance organization, or any entity that represents such companies or groups. Effective 7/1/2050. (SD1)</p>	<p>HTH, CPN</p>
<p><u>SB 1340, SD1</u> (SSCR321) Status & Testimony</p>	<p>RELATING TO EMERGENCY MEDICAL SERVICES. Enables the Hawaii medical board to certify emergency medical responders other than emergency ambulance service personnel. Effective 7/1/2050. (SD1)</p>	<p>HTH, CPN</p>
<p><u>SB 838, SD1</u> (SSCR419) Status & Testimony</p>	<p>RELATING TO SERVICES FOR KUPUNA. Allows the executive office of aging to relax the thirty-hour employment requirement for qualified caregivers under the Kupuna Caregivers Program during a state-declared state of emergency. Adds the option of kupuna caregiver-directed services to the kupuna caregivers program. Includes assisting the care recipient and caregiver with the enrollment process as the duty of a coach. Allows funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider. Takes effect 5/1/2029. (SD1)</p>	<p>HMS, CPN</p>

<p><u>SB 1021, SD1</u> <u>(SSCR96)</u> <u>Status & Testimony</u></p>	<p>RELATING TO BURIALS. Prohibits selling, transferring, conveying, or otherwise disposing of or offering for sale any plots, crypts, or niches having an authorized capacity limit of fewer than ten sets of cremated human remains or burials prepared consistent with traditional Hawaiian cultural customs and practices. Includes the use of alkaline hydrolysis, water cremation, and natural organic reduction as methods for the disposal of human remains. Amends the procedures for the resolution of disputes regarding the right of disposition, the right to rely and act upon written instructions in a funeral service agreement or similar document, and provisions for the disposition of a decedent's remains and recovery of reasonable expenses to include hydrolysis facilities and natural organic reduction facilities. (SD1)</p>	<p>HWN, CPN</p>
<p><u>SB 57, SD1</u> <u>(SSCR563)</u> <u>Status & Testimony</u></p>	<p>RELATING TO VEHICLE INSPECTIONS. Codifies certain certification, renewal, and violation processes of vehicle inspectors who conduct vehicle safety inspections under the department of transportation. Repeals requirement for reconstructed vehicles to obtain a special inspection and certification. Requires the director of transportation to include in the administrative rules governing motor carrier vehicle safety inspections and uniform standard and procedures for motor vehicle inspections to require exhaust noise checks as part of the safety inspection process and require that the exhaust noise be no louder than ninety-five decibels to pass the inspection check. (SD1)</p>	<p>TRS, CPN</p>
<p><u>SB 251, SD1</u> <u>(SSCR511)</u> <u>Status & Testimony</u></p>	<p>RELATING TO TRANSPORTATION NETWORK COMPANIES. Establishes requirements and permitting procedures for transportation network companies operating in the State. Makes permanent insurance requirements for transportation network companies and transportation network drivers. (SD1)</p>	<p>TRS, CPN</p>
<p><u>SB 1212, SD1</u> <u>(SSCR542)</u> <u>Status & Testimony</u></p>	<p>RELATING TO MOTOR VEHICLE REGISTRATION. Requires resolution of an outstanding federal out-of-service order prior to registration renewals and initial registrations of motor carrier vehicles. Defines "out-of-service order". Takes effect 1/1/2050. (SD1)</p>	<p>TRS, CPN</p>
<p><u>SB 1403, SD1</u> <u>(SSCR509)</u> <u>Status & Testimony</u></p>	<p>RELATING TO HELICOPTERS. Requires commercial helicopter owners and operators to retain and make available records containing basic helicopter flight information and report that information to the Department of Transportation. (SD1)</p>	<p>TRS, CPN</p>
<p><u>SB 768, SD1</u> <u>(SSCR392)</u> <u>Status & Testimony</u></p>	<p>RELATING TO ZERO-EMISSION VEHICLES. Establishes the rental car modernization task force, placed within the department of transportation for administrative purposes. The task force is to submit an initial report to the legislature no later than December 1, 2021 and a final report to the legislature no later than December 1, 2022. The task force sunsets and stands dissolved on May 31, 2023. Effective upon approval. (SD1)</p>	<p>TRS, CPN</p>

Decision making meeting only, no oral testimony will be accepted.

Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing. Click [here](#) to submit written testimony.

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The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written) or ASL interpreter), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808)586-6070.

Senator Rosalyn H. Baker
Chair