
A BILL FOR AN ACT

RELATING TO PHARMACISTS.

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

1 SECTION 1. The legislature finds that there is currently a
2 statewide physician shortage. According to the federal Health
3 Resources and Services Administration, each county in the State
4 contains a region that is a medically underserved area, as
5 defined by the Public Health Service Act of 1944, Public Law
6 78-410.

7 The legislature further finds that pharmacists can help
8 bridge the gaps created by the physician shortage. A
9 pharmacist's skill set includes educating patients on how and
10 when to check blood sugar, ways to avoid and manage
11 hypoglycemia, how to take their medications correctly to avoid
12 adverse effects, and various medication utilization techniques.
13 Additionally, patients are significantly less likely to be
14 readmitted to the hospital when pharmacists provide clinical
15 services after a hospital discharge.

16 Accordingly, the purpose of this Act is to require private
17 and public health plans issued in the State to recognize



1 licensed pharmacists as participating providers and mandate
2 payment or reimbursement for services provided by participating
3 registered pharmacists within their scope of practice to the
4 extent that the policy or plan provides coverage for the same
5 service rendered by another health care provider.

6 SECTION 2. Chapter 431, Hawaii Revised Statutes, is
7 amended by adding a new section to article 10A to be
8 appropriately designated and to read as follows:

9 "§431:10A- Services provided by participating registered
10 pharmacists; coverage. (a) Each individual or group policy of
11 accident and health or sickness insurance delivered or issued
12 for delivery in the State on or after July 1, 2026, shall:

13 (1) Recognize pharmacists licensed pursuant to chapter 461
14 as participating providers;

15 (2) Include coverage for a service provided by a
16 participating registered pharmacist practicing within
17 the scope of the participating registered pharmacist's
18 license for purposes of health maintenance or
19 treatment to the extent that the policy provides
20 coverage for the same service rendered by another
21 health care provider; and



1 (3) Pay or reimburse a pharmacist or pharmacy for the cost
2 of a service provided by a pharmacist within the scope
3 of the pharmacist's practice.

4 (b) For the purposes of this section, "participating
5 registered pharmacist" means a registered pharmacist licensed
6 pursuant to chapter 461 who has contracted with the insurer to
7 provide health care services to its insureds."

8 SECTION 3. Chapter 432, Hawaii Revised Statutes, is
9 amended by adding a new section to article 1 to be appropriately
10 designated and to read as follows:

11 "§432:1- **Services provided by participating registered**
12 **pharmacists; coverage.** (a) Each individual or group hospital
13 or medical service plan contract delivered or issued for
14 delivery in the State on or after July 1, 2026, shall:

15 (1) Recognize pharmacists licensed pursuant to chapter 461
16 as participating providers;

17 (2) Provide coverage for a service provided by a
18 participating registered pharmacist practicing within
19 the scope of the participating registered pharmacist's
20 license for purposes of health maintenance or
21 treatment to the extent that the plan contract



1 provides coverage for the same service rendered by
2 another health care provider; and

3 (3) Pay or reimburse a pharmacist or pharmacy for the cost
4 of a service performed by a pharmacist within the
5 scope of the pharmacist's practice.

6 (b) For the purposes of this section, "participating
7 registered pharmacist" means a registered pharmacist licensed
8 pursuant to chapter 461 who has contracted with the mutual
9 benefit society to provide health care services to its
10 subscribers or members."

11 SECTION 4. Chapter 432D, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§432D- Services provided by participating registered
15 pharmacists; coverage. (a) Each health maintenance
16 organization policy, contract, plan, or agreement that is
17 issued, amended, or renewed in the State on or after July 1,
18 2026, shall:

19 (1) Recognize pharmacists licensed pursuant to chapter 461
20 as participating providers;



1 (2) Provide coverage for a service provided by a
2 participating registered pharmacist practicing within
3 the scope of the participating registered pharmacist's
4 license for purposes of health maintenance or
5 treatment to the extent that the plan contract
6 provides coverage for the same service rendered by
7 another health care provider; and

8 (3) Pay or reimburse a pharmacist or pharmacy for the cost
9 of a service provided by a pharmacist within the scope
10 of the pharmacist's practice.

11 (b) For the purposes of this section, "participating
12 registered pharmacist" means a registered pharmacist licensed
13 pursuant to chapter 461 who has contracted with the health
14 maintenance organization to provide health care services to its
15 enrollees or subscribers."

16 SECTION 5. Section 346-59, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) Rates of payment to providers of medical care who are
19 individual practitioners, including doctors of medicine,
20 dentists, podiatrists, psychologists, osteopaths, optometrists,
21 pharmacists, and other individuals providing services, shall be



1 based upon the Hawaii medicaid fee schedule. The amounts paid
2 shall not exceed the maximum permitted to be paid individual
3 practitioners or other individuals under federal law and
4 regulation, the medicare fee schedule for the current year, the
5 state limits as provided in the appropriation act, or the
6 provider's billed amount.

7 The appropriation act shall indicate the percentage of the
8 medicare fee schedule for the year 2000 to be used as the basis
9 for establishing the Hawaii medicaid fee schedule. For any
10 subsequent adjustments to the fee schedule, the legislature
11 shall specify the extent of the adjustment in the appropriation
12 act."

13 SECTION 6. Section 346-59.1, Hawaii Revised Statutes, is
14 amended by amending subsection (g) to read as follows:

15 "(g) For the purposes of this section:

16 "Distant site" means the location of the health care
17 provider delivering services through telehealth at the time the
18 services are provided.

19 "Health care provider" means a provider of services, as
20 defined in title 42 United States Code section 1395x(u), a
21 provider of medical and other health services, as defined in



1 title 42 United States Code section 1395x(s), other
2 practitioners licensed by the State and working within their
3 scope of practice, and any other person or organization who
4 furnishes, bills, or is paid for health care in the normal
5 course of business, including but not limited to primary care
6 providers, mental health providers, oral health providers,
7 physicians and osteopathic physicians licensed under
8 chapter 453, advanced practice registered nurses licensed under
9 chapter 457, psychologists licensed under chapter 465,
10 pharmacists licensed under chapter 461, and dentists licensed
11 under chapter 448.

12 "Interactive telecommunications system" has the same
13 meaning as the term is defined in title 42 Code of Federal
14 Regulations section 410.78(a).

15 "Originating site" means the location where the patient is
16 located, whether accompanied or not by a health care provider,
17 at the time services are provided by a health care provider
18 through telehealth, including but not limited to a health care
19 provider's office, hospital, critical access hospital, rural
20 health clinic, federally qualified health center, a patient's
21 home, and other nonmedical environments such as school-based



1 health centers, university-based health centers, or the work
2 location of a patient.

3 "Telehealth" means the use of telecommunications services,
4 as defined in section 269-1, to encompass four modalities:
5 store and forward technologies, remote monitoring, live
6 consultation, and mobile health; and which shall include but not
7 be limited to real-time video conferencing-based communication,
8 secure interactive and non-interactive web-based communication,
9 and secure asynchronous information exchange, to transmit
10 patient medical information, including diagnostic-quality
11 digital images and laboratory results for medical interpretation
12 and diagnosis, for the purpose of delivering enhanced health
13 care services and information while a patient is at an
14 originating site and the health care provider is at a distant
15 site. Except as provided through an interactive
16 telecommunications system, standard telephone contacts,
17 facsimile transmissions, or e-mail text, in combination or
18 alone, do not constitute telehealth services."

19 SECTION 7. The department of human services shall apply to
20 the United States Department of Health and Human Services for



1 any amendment to the state medicaid plan or for any medicaid
2 waiver necessary to implement sections 5 and 6 of this Act.

3 SECTION 8. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 9. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 10. This Act shall take effect upon its approval;
9 provided that sections 5 and 6 shall take effect upon approval
10 of the Hawaii medicaid state plan by the Centers for Medicare
11 and Medicaid Services; provided further that the amendments made
12 to section 346-59.1, Hawaii Revised Statutes, by section 6 of
13 this Act shall not be repealed when that section is reenacted on
14 December 31, 2025, pursuant to section 8 of Act 107, Session
15 Laws of Hawaii 2023.



Report Title:

Insurance Coverage; Pharmacists; Reimbursement; Health Insurers;
Mutual Benefit Societies; Health Maintenance Organizations;
Medicaid Plans

Description:

Beginning 7/1/2026, mandates reimbursement for services provided by participating registered pharmacists practicing within their scope of practice by private and public health plans in the State and requires the health plans to recognize pharmacists licensed in the State as participating providers. (CD1)

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