

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON HEALTH
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

AMENDED NOTICE OF HEARING

DATE: Wednesday, February 10, 2021
TIME: 1:00 p.m.
PLACE: Via Videoconference

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

To comply with social distancing requirements, only written and videoconference testimony will be accepted. If you wish to testify via videoconference you must also submit written testimony.

A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

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

SB 602

Status &
Testimony

RELATING TO PHARMACY BENEFIT MANAGERS.

HTH, CPN

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 self-serving or deceptive business practices. Prohibits pharmacy benefit managers from engaging in unfair methods of competition or unfair practices. Prohibits pharmacy benefit managers from retaining any portion of spread pricing. 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. Makes certain violations of pharmacy benefit managers subject to the penalties provided in chapter 480 and chapter 481, Hawaii Revised Statutes.

<u>SB 605</u> <u>Status & Testimony</u>	RELATING TO PRESCRIPTION DRUGS. Requires drug manufacturers to notify prescription drug benefit plans and pharmacy benefit managers if a proposed increase in the wholesale price of certain drugs would result in a sixteen per cent or more price increase over a two-year period. Requires the drug manufacturer to identify and report to the insurance commissioner information on certain drugs whose wholesale acquisition cost increases by a certain amount during a specified time frame.	HTH, CPN
<u>SB 1191</u> <u>Status & Testimony</u>	RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Updates chapter 329, Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system.	HTH, CPN
<u>SB 1192</u> <u>Status & Testimony</u>	RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM. Amends section 329-101(b) and (d), Hawaii Revised Statutes, to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System.	HTH, CPN
<u>SB 894</u> <u>Status & Testimony</u>	RELATING TO TAXATION. Includes e-liquid and electronic smoking devices within the definition of "tobacco products", as used in the cigarette tax and tobacco tax law. Establishes a tax of twenty per cent for the wholesale price for electronic smoking devices and 10 cents for each milliliter of e-liquid. Allocates a portion of funds collected on excise taxes on electronic smoking devices and e-liquids to the trauma system special fund, community health centers special fund, and emergency medical services special fund.	HTH, WAM
<u>SB 1155</u> <u>Status & Testimony</u>	RELATING TO HEALTH. Authorizes issuance of licenses to solemnize marriages for persons of a secular or non-religious organization.	HTH, CPN/JDC
<u>SB 1242</u> <u>Status & Testimony</u>	RELATING TO TRAUMA-INFORMED CARE. Establishes a trauma-informed care task force within the department of health to make recommendations of trauma-informed care in the State.	HTH, WAM
<u>SB 1186</u> <u>Status & Testimony</u>	RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Updates the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, to make it consistent with amendments in the federal controlled substances law as required by section 329-11, Hawaii Revised Statutes.	HTH, JDC/WAM
<u>SB 1340</u> <u>Status & Testimony</u>	RELATING TO EMERGENCY MEDICAL SERVICES. Enables the Hawaii medical board to certify emergency medical responders other than emergency ambulance service personnel.	HTH, CPN
<u>SB 1144</u> <u>Status & Testimony</u>	RELATING TO MARRIAGE LICENSE FEES. Amends the marriage license statute to support the Hawaii Birth Defects Program, modernization of the vital statistics system, and operating costs of marriage license agents.	HTH, CPN/WAM

SB 839

**Status &
Testimony**

RELATING TO HEALTH.

Authorizes advanced practice registered nurses, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority. Authorizes psychiatric mental health nurse practitioners, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient. Reduces the mandatory waiting period between oral requests from twenty days to fifteen days. Waives the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period.

HTH, JDC

SB 624

**Status &
Testimony**

~~RELATING TO HEALTH CARE.~~

~~Authorizes licensed physician assistants and advanced practice registered nurses to perform certain abortions.~~

~~HTH, CPN
Measure deleted
on 02-08-21~~

SB 134

**Status &
Testimony**

RELATING TO EMERGENCY POWERS.

Prohibits the governor or the mayor from suspending requests for public records or vital statistics during a declared state of emergency.

HTH, JDC

SB 1138

**Status &
Testimony**

**RELATING TO THE OFFICE OF HEALTHCARE ASSURANCE
SPECIAL FUND.**

Increase ceiling of the Office of Healthcare Assurance Special Fund to meet expanding program needs and diminish dependence on the general fund.

HTH, WAM

Decision Making to follow if time permits.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

Persons wishing to submit written testimony or request to testify via videoconference may do so up to 24 hours prior to the hearing.

Click [here](#) to submit **written testimony**.

If you wish to **testify via videoconference** during the hearing, please sign in to your account on the Legislature's website, then click on the "Testimony" icon on the home page. Detailed step-by-step instructions are available on the testimony submittal page. They are also posted on the Legislature's website [here](#).

Please note the following:

- The number of videoconference testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify remotely.
- Videoconference testifiers for this hearing will be limited to **2 minutes** each.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov. You can also visit their website at <https://lrb.hawaii.gov/par/>.

For special assistance: 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), or are unable to submit testimony via the website due to a disability, please contact the committee at HTHcommittee@capitol.hawaii.gov at least 24 hours prior to the hearing.

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) 587-7215.

Senator Jarrett Keohokalole
Chair