

HAWAII SOCIETY OF CLINICAL ONCOLOGY
HAWAII LEGISLATIVE UPDATE

1. 2019 LEGISLATIVE SESSION

- a. The 2019 session began on January 16TH and ended on May 2nd.
- b. There were several cancer and health-care related bills that we monitored on behalf of HSCO as described below.

2. STEP THERAPY

a. Senate Bill (SB) 493

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=493&year=2019

- b. **Description:** Prohibits a health care insurer from requiring an insured diagnosed with stage two cancer to undergo step therapy prior to covering the insured for the drug prescribed by the insured's health care provider, under certain conditions. Requires analysis and report by State Auditor to determine if federal ACA provisions or state sunrise analysis requirements have been triggered.
- c. This would have been one of the first bills in the nation to specifically prohibit step-therapy for stage two cancer drugs.
- d. This bill made it through both chambers, but unfortunately, the bill died in conference as there were concerns about the costs.
- e. It is anticipated that this bill or something similar will come back in the 2020 session.

3. LOW DOSE MAMMOGRAPHY

a. SB1034

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1034&year=2019

- b. **Description:** Clarifies that the existing health insurance mandate for coverage of low-dose mammography includes coverage for advancing methodologies of digital mammography and breast tomosynthesis.
- c. This bill made it through both chambers, but unfortunately, the bill died in conference.
- d. The good news is that Hawaii Medical Services Assn. (HMSA) announced that starting July 1, 2019, it will be covering the costs for this procedure so that the patient will not have to bear the out-of-pocket cost that was reported to be anywhere between \$40 - \$75.
- e. It is likely that some form of the bill comes back next session since there are still other health insurers for which it is uncertain if these services are covered.

4. LIVER AND BILE DUCT CANCER

a. House Bill (HB) 654

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=654&year=2019

- b. Description:** Appropriates \$350,000 to the University of Hawaii Cancer Center to determine the etiologies of the high incidence of liver and bile duct cancer in Hawaii. Establishes reporting requirements.
- c.** According to the bill's purpose clause:
 - i.** . . . liver cancer in Hawaii occurs at extremely high rates. According to the United States Centers for Disease Control and Prevention and the Hawaii Tumor Registry, Hawaii has had the highest or second-highest rate of liver cancer among all of the states in recent years.
 - ii.** Every year in Hawaii there are one hundred eighty-four newly diagnosed cases of liver cancer, including bile duct cancer, according to the Hawaii Tumor Registry . . . There are currently about one thousand patients in Hawaii fighting liver cancer and bile duct cancer, both of which are almost always fatal.
 - iii.** . . . that liver cancer, which starts in the liver and includes bile duct cancer, is most commonly caused by the hepatitis B virus, hepatitis C virus, and heavy alcohol consumption. In Hawaii, however, these factors are near the national average, which suggests that other factors may be contributing to the high occurrence of liver cancer in the State.
- d.** This bill PASSED the legislature, and it currently sitting on the Governor's desk. It is anticipated that he will sign this bill into law.

5. PHARMACY BENEFIT MANAGER

- a. SB1401**
https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1401&year=2019
- b. Description:** Provides that a pharmacy benefit manager may not prohibit the sharing of an insured individual's cost share for a prescription drug and clinical efficacy of a more affordable alternative drug and prevents penalization of a pharmacy or pharmacist for sharing such information
- c.** This bill made it through both chambers, but unfortunately, the bill died in conference as there were concerns about the costs.
- d.** It is anticipated that this bill or something similar will come back in the 2020 session.