

Honolulu, Hawaii

, 2024

FEB 16

RE: H.B. No. 1836
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Water & Land and Health & Homelessness, to which was referred H.B. No. 1836 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose of this measure is to allow pharmacists to refill prescriptions of up to a thirty-day supply of dangerous drugs and dangerous devices if the practitioner is unavailable to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription may interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being, during a state of emergency.

Your Committees received testimony in support of this measure from the University of Hawai'i at Hilo; Board of Pharmacy; Hawai'i Primary Care Association; Hawaii Medical Association; Walgreen Co.; and two individuals. Your Committees received comments on this measure from the Hawaii Medical Service Association and Hawaii Association for Justice.

Your Committees find that during times of natural disasters or public health emergencies, there may be significant challenges that impede a patient's ability to timely receive a necessary prescription. In the aftermath of the recent Maui wildfires, pursuant to the exemptions and authority granted by the emergency



proclamations, pharmacists quickly ensured that patients had continued access to the medications necessary for their conditions. This measure establishes the authority for pharmacists to ensure uninterrupted access to essential medications during a state of emergency.

Your Committees have amended this measure by:

- (1) Deleting references to "dangerous drug or dangerous device" and its corresponding definition, and replacing them with "controlled substances";
- (2) Requiring a registered pharmacist to notify a practitioner no later than twenty-four hours after the dispensing of any refill and specifying that the notification may be made by phone, facsimile, or electronic mail, rather than requiring a registered pharmacist to make every reasonable effort within a reasonable period of time to contact the practitioner;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Water & Land and Health & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1836, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1836, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committees on Water & Land and
Health & Homelessness,



DELLA AU BELATTI, Chair



LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Health & Homelessness

Bill/Resolution No.: HB1836	Committee Referral: WAL/HLT, CPC	Date: 2/8/24
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	/			
2. TAKENOUCI, Jenna (VC)	/			
3. AMATO, Terez				/
4. ILAGAN, Greggor	/			
5. KOBAYASHI, Bertrand				/
6. MARTEN, Lisa	/			
7. NISHIMOTO, Scott Y.				/
8. GARCIA, Diamond	/			
TOTAL (8)	5			3

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature:

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