Honolulu, Hawaii

More 63, 2006

RE: H.B. No. 2192 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 2192, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

beg leave to report as follows:

The purpose of this bill is to make processing controlled substance prescriptions more efficient while ensuring continued protection of the public by, among other things:

- (1) Adding definitions to Chapter 329, Hawaii Revised Statutes, the Uniform Controlled Substances Act, to conform to changes in federal law;
- (2) Accommodating the use of automation and new technology in provisions governing the transfer, transmission, and record keeping of prescriptions for controlled substances;
- (3) Setting out specific procedures and requirements for transferring, transmitting, dispensing, and keeping records of controlled substance prescriptions;
- (4) Allowing central fill pharmacies to prepare Schedule III-IV medications and allowing limited information sharing between pharmacies for this purpose;

- (5) Extending from 72 hours to seven days the time within which a practitioner must deliver a schedule II prescription to the pharmacy after placing an emergency oral prescription with the pharmacy;
- (6) Requiring a schedule II controlled substance prescription to be filled within three days of issuance, and to only be supplied to the patient if the pharmacy has filled and held the prescription for no more than seven days;
- (7) Allowing investigative controlled substance prescription information to be provided to state authorized governmental prescription monitoring programs; and
- (8) Prohibiting the obtaining of controlled substances by the unauthorized use of a physician's oral call-in number or the alteration of a prescription by adding future refills.

The Department of Public Safety, Hawaii Pharmacists Association, Kaiser Permanent, and Longs Drugs testified in support of this bill.

Your Committees have amended this bill as recommended by the Department of Public Safety by:

- (1) Redefining "prescription" to mean an order for medication, dispensed to or for an ultimate user, and not an order for medication dispensed for immediate administration to the ultimate user, such as a chart order to dispense a drug of immediate administration to a hospital bed patient;
- (2) Changing the effective date to July 1, 2050 to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2192, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2192, H.D. 2.

HB2192 HD2 HSCR CPC-JUD HMS 2006-2232



STAND. COM. REP. NO. 764-06
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Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

SYLVIA LUKE, Chair

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ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2197 HD1 Date: 2/22/06							
Committee Referral: The committee is reconsidering its previous decision on the measure.							
The recommendation is to: Pass, unamended Pass, with amendments							
☐ Hold ☐ Recommit							
CPC Members	Ayes	Ayes (WR)	Nays	Excused			
1. HERKES, Robert N. (C)	1/						
2. SCHATZ, Brian (VC)	1/			TI STATE (ARTICULAR DE LA CARTA DE LA C			
3. CALDWELL, Kirk							
4. ITO, Ken							
5. KANOHO, Ezra R.							
6. KARAMATSU, Jon Riki							
7. MORITA, Hermina M.				/			
8. SONSON, Alex M.							
9. SOUKI, Joseph M.	Y						
10. MARUMOTO, Barbara C.							
11. STONEBRAKER, Bud							
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TOTAL	9			2			
The recommendation is: Adopted							
☐ Not Adopted							
If joint referral, did not support recommendation.							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office							

State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Judiciary

Committee Referral: PSM, CPC/JUD The recommendation is to: Pass, unamended Pass, with amendments JUD Members Ayes Ayes (WR) Nays Excused Recommit JUD Members Ayes Ayes (WR) Nays Ayes Ayes (WR) Nays Ayes Ayes (WR) Nays Ayes Ayes (WR) Nays Ayes Ayes TOTAL Tot	HB2192 HD1 (HSCR415-06)) Date: 2/	7/22/06					
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