STAND. COM. REP. NO. 1582 -08

Honolulu, Hawaii

RE:

API , 2008

S.B. No. 2882

S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 2882, S.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 facilitate the provision of prescription medications by authorizing out-of-state mail order pharmacies to use payor-provided identification numbers in dispensing controlled substances.

AlohaCare, Hawaii Medical Service Association, Express Scripts, Inc., Medco Health Solutions, and WellPoint, Inc., testified in support of this bill. The Department of Public Safety and Longs Drug Stores opposed this measure.

Hawaii law requires the use of a patient's government-issued identification number for the dispensing of prescribed controlled substances. This bill would allow out-of-state mail order pharmacies to instead use unique patient identifiers issued by payors, insurers, or pharmacy benefit managers when dispensing controlled substances.

However, there are concerns regarding the reliability of these patient identifiers for law enforcement purposes and the uncertain effects this bill may have on Hawaii-based mail order facilities that dispense prescription drugs.

SB2882 HD1 HSCR CPC-JUD HMS 2008-3354

Accordingly, your Committees have amended this bill by changing its effective date to January 1, 2050, to encourage further discussion.

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 S.B. No. 2882, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2882, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Mary Watt

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,

ROBERT N. HERKES, Chair



## State of Hawaii House of Representatives The Twenty-fourth Legislature

## **Record of Votes of the Committee on Consumer Protection & Commerce**

SB 2882, SD1 (SSCR2711) Committee Referral: O2-25-08							
☐ 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)							
CPC Members	Ayes	Ayes (WR)	Nays	Excused			
1. HERKES, Robert N. (C)	4						
2. McKELVEY, Angus L.K. (VC)	٧						
3. EVANS, Cindy	α.						
4. GREEN, Josh, M.D.	×						
5. ITO, Ken	يخ ا						
6. LUKE, Sylvia				K			
7. MORITA, Hermina M.				Ye			
8. SONSON, Alex M.	<b>Y</b>						
9. SOUKI, Joseph M.	<u>'</u> ہ						
10. TSUJI, Clift	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \						
11. YAMANE, Ryan I.	<b>i</b> ć						
12. YAMASHITA, Kyle T.	X						
13. MARUMOTO, Barbara C.		<i> </i>					
14. THIELEN, Cynthia			>				
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TOTAL (14)	$  U \rangle$	\	l	2			
The recommendation is:  Description of the Adopted Adopted If joint referral, Adopted If joint referral, Adopted Adopted Adopted If joint referral, Adopted Adopted Adopted Adopted If joint referral, Adopted Adopted Adopted Adopted Adopted Adopted Adopted If joint referral, Adopted Adop							
Vice Chair's or designee's signature:							
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office							

## State of Hawaii House of Representatives The Twenty-fourth Legislature

## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.: SB2882, SD1 (SSCR2711)	Committee Referral: CPC/JUD		Date: 3-25-0 <del>3</del>			
☐ The committee is reconsidering its previous	ous decision on the measure.					
	nnamended (as is) Pas hort form bill with HD to recor	s, with amendments				
JUD Members	Ayes	Ayes (WR)	Nays	Excused		
1. WATERS, Tommy (C)						
2. OSHIRO, Blake K. (VC)						
3. EVANS, Cindy		The state of the s				
4. GREEN, Josh, M.D.	<b>✓</b>					
5. ITO, Ken						
6. LUKE, Sylvia						
7. McKELVEY, Angus L.K.						
8. MORITA, Hermina M.				<b>/</b>		
9. SONSON, Alex M.						
10. SOUKI, Joseph M.						
11. TSUJI, Clift						
12. YAMANE, Ryan I.						
13. YAMASHITA, Kyle T.						
14. MARUMOTO, Barbara C.						
<ul><li>15. PINE, Kymberly Marcos</li><li>16. THIELEN, Cynthia</li></ul>						
10. THIELEN, Cyntina			<b>V</b>			
TOTAL (16)	l l	1	1	3		
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)						
Vice Chair's or designee's signature:						
<b>Distribution:</b> Original (White) – Com	Duplicate (Yell	ow) – Chief Clerk's	Office			