STAND. COM. REP. NO. 1228

Honolulu, Hawaii Mech 27, 2009 RE: S.B. No. 967 S.D. 2 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred S.B. No. 967, S.D. 2, H.D. 1, entitled:

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

beg leave to report as follows:

SB967 HD2 HSCR LRB 09-3111.doc

The purpose of this measure is to amend Hawaii's controlled substance laws to make them consistent with federal law.

More specifically, this measure:

- Adds new drugs to Hawaii's controlled substance laws to conform to changes made in the federal law;
- (2) Includes consideration of a registrant's surrender of a federal controlled substance registration in determining whether the registrant's state registration should be suspended or revoked;
- (3) Authorizes and establishes procedures for pharmacies that electronically share a real-time, online database to transfer controlled substance prescriptions between their pharmacies;

STAND. COM. REP. NO. V228 Page 2

- (4) Specifies what information practitioners and pharmacists who dispense controlled substances are required to record in their log books; and
- (5) Authorizes administrative inspections of the premises and records, other than financial data, for establishments such as pharmacies that are authorized to dispense controlled substances.

The Department of Public Safety, the Police Department of the City and County of Honolulu, CVS Caremark Longs Drugs, and Kaiser Permanente testified in support of the measure. Walgreens Co. testified in support of the intent of the measure.

Your Committee has amended this measure by:

SB967 HD2 HSCR LRB 09-3111.doc

- (1) Requiring that pharmacists and practitioners who dispense controlled substances directly to an individual document the identification of an unknown individual in either a written log book or an electronic database and permitting acceptance of either a written signature or a signature recorded by an electronic capture device; and
- (2) Providing that the initial registration information in a mail order prescription drug plan will satisfy identification requirements for the purpose of dispensing controlled substances pursuant to valid mail order prescriptions.

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. 967, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.B. No. 967, S.D. 2, H.D. 2.

STAND. COM. REP. NO. **V22** Page 3

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

1 **n**·1. 1 JON RIKI KARAMATSU, Chair

SB967 HD2 HSCR LRB 09-3111.doc

ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 967 SD2 HD1 PB	nittee Referral: S, CPC/MD	Fin Date	3/23/	09
The committee is reconsidering its previous dec		/	f k	
The recommendation is to: Image: Pass, unamendation Image: Pass short for	ded (as is) Pas m bill with HD to reco	ss, with amendments mmit for future publi		
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)				
2. WAKAI, Glenn (VC)				
3. BELATTI, Della Au				/
4. CABANILLA, Rida				\checkmark
5. CARROLL, Mele				V
5. ITO, Ken				
7. KARAMATSU, Jon Riki				
8. LUKE, Sylvia				
9. McKELVEY, Angus L.K.				V
10. MIZUNO, John M.				
11. MORITA, Hermina M.	1			\sim
12. SOUKI, Joseph M.				
13. TSUJI, Clift				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				
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TOTAL (15)		Ø	ϕ	4
The recommendation is: Adopted If joint referral,	Not Adop committee acronym	did not suppo	/ ort recommendation	
Vice Chair's or designee's signature:	ANX -			
Distribution: Original (White) – Committee	Duplicate (Yellow) -	- Chief Clerk's Office	e Duplicate (Pi	nk) – HMSO
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State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 1228

Record of Votes of the Committee on Judiciary

Comparing and a comparing a province of a comparing a comp	committee Referral: 35, CPC/JUD, i		Date: 3/23/09				
 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)							
JUD Members	Ayes	Ayes (WR)	Nays	Excused			
1. KARAMATSU, Jon Riki (C)	V						
2. ITO, Ken (VC)	V						
3. BELATTI, Della Au							
4. CABANILLA, Rida							
5. CARROLL, Mele							
6. HERKES, Robert N.							
7. LUKE, Sylvia							
8. McKELVEY, Angus L.K.							
9. MIZUNO, John M.	V						
10. MORITA, Hermina M.							
11. OSHIRO, Blake K.							
12. SOUKI, Joseph M.							
13. TSUJI, Clift							
14. WAKAI, Glenn			 6 10000035851185053500 				
15. MARUMOTO, Barbara C.							
16. THIELEN, Cynthia							
				6			
TOTAL (16)	11			5			
The recommendation is: Adopted Instruction If joint referral,							
Vice Chair's or designee's signature:							
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