

STAND. COM. REP. NO. **633**

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 967
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 967, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to make Hawaii's controlled substance laws consistent with that of federal law and clarify sections of chapter 329, Hawaii Revised Statutes, relating to controlled substances.

Specifically, this measure:

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



- (4) Specifies what information practitioners and pharmacists who dispense controlled substances are required to record in their log books; and
- (5) Provides for administrative inspections consistent with Department of Health inspection procedures.

Your Committee finds that this measure protects the public by updating Hawaii's controlled substances schedules, as well as by assisting pharmacists and physicians to better serve their patients by streamlining the requirements for dispensing controlled substances.

Your Committee has amended this measure by:

- (1) Deleting section 5 regarding the grounds for determining whether a state registration to manufacture, distribute, or dispense a controlled substance should be suspended or revoked;
- (2) Deleting section 8, which relates to administrative inspections; and
- (3) Changing the effective date to July 1, 2050 to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 967, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 967, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* SB 967, SD1	Committee Referral: HTH, JGO	Date: 2/26/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.				✓
SLOM, Sam		✓		
TOTAL	3	1	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

***Only one measure per Record of Votes**