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GOVERNOR



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TESTIMONY ON HOUSE BILL 655
A BILL FOR AN ACT RELATING TO
RELATING TO REMOTE DISPENSING PHARMACIES
Clayton A. Frank, Director
Department of Public Safety

Committee on Health
Representative Ryan I. Yamane, Chair
Representative Scott Y. Nishimoto, Vice Chair

Tuesday, February 3, 2008, 08:30 am
State Capitol, Room 329

Representative Yamane and Members of the Committee:

The Department of Public Safety acknowledges that there may be a need for a remote dispensing pharmacy that has the ability to dispense controlled substances to be utilized on an island that does not have a pharmacy. However, the department has concerns regarding the lack of language restricting remote dispensing pharmacy units in close proximity to each other. In addition, the department would also like to suggest the following amendments to House Bill 655 to read as follows:

"§461- Remote dispensing pharmacy; islands without a pharmacy.

(a) Notwithstanding section 461-10.5, a remote dispensing pharmacy may be established on an island without a pharmacy and may:

(1) Provide medications to patients with health insurance coverage;

and

(2) Dispense controlled substances after complying with registration and security requirements set forth by the department of public safety.

(b) A remote dispensing pharmacy shall not be located within 5 miles of another remote dispensing pharmacy.

(c) A remote dispensing pharmacy established under subsection (a) may continue to operate in the same location if a pharmacy is subsequently established on the same island as the remote dispensing pharmacy, however it will no longer be authorized to dispense controlled substances."

Thank you for the opportunity to testify on this matter.

[Make 3 Copies]

Tuesday, February 3 2009
Conference Room 329
8:30am

The House Committee on Health

To: The Honorable Representative Ryan I. Yamane, Chair and
The Honorable Representative Scott Y. Nishimoto, Vice Chair

From: Shirley Samonte
Manger, Clinical Operations
Straub Lanai Family Health Center

**RE: Testimony in Strong Support of HB 655
Relating to Remote Dispensing Pharmacies**

My name is Shirley Samonte, Manager of Clinical Operations for Straub Lanai Family Health Center. The Straub Lanai Family Health Center is an affiliate of Hawaii Pacific Health (HPH), which is the four-hospital system of Kapi'olani Medical Center for Women & Children, Kapi'olani Medical Center at Pali Momi, Straub Clinic & Hospital, and Wilcox Hospital/Kauai Medical Clinic.

Since December 1991, the Straub Lanai Family Health Center has been providing both primary and access to specialized care for the entire Lanai community. The services provided by the Center include the treatment of illness and injury for infants, children, adolescents and adults; periodic physical examinations and preventive health maintenance; Pre-marital and gynecological examinations; Minor surgical procedure; Well-baby and well-child services; and selected specialty consultations available in: cardiology, dermatology, obstetrics/gynecology, ophthalmology, orthopedics, pediatrics, physical therapy, and nephrology. The Straub Lanai Family Health Center provides care to more than 12,000 visits annually.

A common challenge faced by all healthcare providers is providing timely and quality healthcare to communities facing geographic barriers to access. Lanai is a community particularly affected by the inherent diseconomies involved with delivering healthcare to remote areas. With a population base of approximately 3,500 located on an island geography, ensuring that Lanai residents receive timely and adequate care has been the mission of the Straub Lanai Family Health Center.

Meeting the pharmaceutical needs of the Lanai community is no exception to these challenges. There are currently no pharmacies located on the island of Lanai. The Straub Lanai Family Health Center operates a *dispensary* – which means that it is only authorized to provide pharmaceuticals prescribed by Straub Lanai Family Health Center physicians. Therefore, Lanai residents traveling to Oahu or any of the other neighbor islands with prescriptions ordered by non-Lanai Family Health Center physicians are unable to have their prescriptions filled on Lanai. In instances when non-Straub physicians visit the islands - (dentist, psychiatrist, podiatrist, etc.) to provide care to Lanai residents, their patients are also not able to receive their medications prescribed by these healthcare professionals. In these instances, Straub Lanai Family Health Center staff must assist patients with setting up pharmaceutical accounts with their insurance company's mail order pharmacy. As you can imagine, this creates unnecessary hardship and inconvenience for many Lanai residents. The Straub Lanai Family Health Center receives more than 1,000 of these types of requests every month.

One of the strategies to overcome the challenge of delivering pharmaceuticals to remote areas is to utilize existing technologies such as *remote dispensing*. Remote dispensing allows a licensed pharmacist from another location the ability to dispense pharmaceuticals prescribed by a physician at another location. Last year Act 212 was signed into law with the purpose to improve access to medications and pharmacy services by authorizing the operation of remote pharmaceutical drug dispensing machines in the state. While this bill was a helpful step to address providing pharmaceutical access to many remote populations – by limiting access to remote dispensing only to patients enrolled in Quest and Medicaid – the statute as currently written denies Lanai patients the right to participate since approximately 90% of all Lanai residents are *not* enrolled in either Quest or Medicaid.

HB 655 will allow Lanai residents, and residents of any other islands that do not have a pharmacy, to participate in Act 212. Thank you for the opportunity to provide this testimony. We ask that you pass HB 655 from this committee.

**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FIFTY LEGISLATURE
Regular Session of 2009

Tuesday, February 3, 2009
8:30 a.m.

**TESTIMONY ON HOUSE BILL NO. 655, RELATING TO REMOTE
DISPENSING PHARMACIES.**

TO THE HONORABLE RYAN I. YAMANE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Dr. Elwin Goo, Chair of the Board of Pharmacy ("Board") and I appreciate the opportunity to present testimony on behalf of the Board. The Board supports this bill that would allow the utilization of a remote dispensing pharmacy on an island that does not have a permitted pharmacy. However, we defer to the Department of Public Safety, Narcotics Enforcement Division on the dispensing of controlled substances from a remote dispensing pharmacy as they are the appropriate state agency that has the authority over Chapter 329, Hawaii Revised Statutes ("HRS"), the Uniform Controlled Substances Act.

The language in the new section would allow the placement of a remote dispensing pharmacy on an island that does not have a permitted pharmacy and would allow the remote dispensing pharmacy to dispense medications to patients with health insurance, to dispense controlled substances, and to maintain its continued operation even if a pharmacy is established on the same island, all of which are excluded in the current language of Chapter 461, HRS.

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Tuesday, February 3, 2009
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The Board supports the practice of remote dispensing and believes it is a technology that should be available throughout the State so that all residents of this State can be afforded improved access to prescription medications and pharmacy services to meet their healthcare needs.

Thank you for the opportunity to testify on House Bill No. 655.

HMSA



Blue Cross
Blue Shield
of Hawaii

An Independent Licensee of the Blue Cross and Blue Shield Association

February 3, 2009

The Honorable Ryan Yamane, Chair
The Honorable Scott Nishimoto, Vice Chair
House Committee on Health

Re: HB 655 – Relating to Remote Dispensing Pharmacies

Dear Chair Yamane, Vice Chair Nishimoto and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of HB 655 which expands the scope and use of remote pharmacies in Hawaii.

This measure would expand the ability of individuals in rural areas of the state to gain access to their prescription medications in their own community. Through the use of state-of-the-art telecommunications technology, pharmacists are able to dispense medications to patients at a distance. Telepharmacy will help expand access to quality health care to primarily rural and medically underserved areas.

The only concern that may be raised as HB 655 makes its way through the legislative process is that it allows these types of units to dispense controlled substances. Act 212, passed last session regulates remote dispensing pharmacies and prohibits controlled substances from being dispensed from them. Given the concerns which are generally raised by any expanded access to controlled substances, the Committee may want to consider adding language preventing these medications from being accessed through a remote dispensing unit.

Thank you for the opportunity to testify today.

Sincerely,

A handwritten signature in black ink, appearing to read "JD".

Jennifer Diesman
Assistant Vice President
Government Relations