STAND. COM. REP. NO.

Honolulu, Hawaii March (, 2015 RE: H.B. No. 1176 H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary, to which was referred H.B. No. 1176, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION, "

beg leave to report as follows:

The purpose of this measure is to address the regulation of prescription medication and narcotic drugs by, among other things:

- Establishing a Narcotics Advisory Committee within the Department of Public Safety to recommend acceptable continuing medical education program topics and curriculum to the Narcotics Enforcement Division,
- (2) Establishing a mandatory continuing medical education program developed by the Narcotics Enforcement Division of the Department of Public Safety for prescribing practitioners who prescribe narcotic drugs;
- (3) Requiring that a pain medication agreement be executed between a patient and any prescriber within the State of a narcotic drug for use as a pain medication;
- (4) Requiring, beginning January 1, 2017, practitioners to request patient information from the central repository of controlled substance prescription information maintained by the Department of Public Safety prior to prescribing or dispensing a controlled substance to a



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new patient and to request patient information from the central repository three times each year for a patient receiving chronic pain therapy;

- (5) Establishing the Overdose Prevention and Emergency Response Act, which creates immunity for individuals who prescribe, possess, dispense, or administer an opioid antagonist to respond to an opioid-related drug overdose; and
- (6) Appropriating funds for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride.

The Department of Public Safety, Queen's Health Systems; Walgreens; Kaiser Permanente testified in support of the intent of this measure. The Hawaii Orthopedic Association and a few individuals testified in opposition to this measure. The Hawaii Medical Association provided comments on this measure.

Your Committees have amended this measure by deleting its contents and inserting the original provisions of H.B. 1176 as introduced, with the following amendments:

- (1) Specifying that no person licensed pursuant to Chapters 453 and 463E, Hawaii Revised Statutes, relating to medicine and surgery and podiatrists, respectively, shall:
 - (A) Prescribe more than three thirty-day sequential prescriptions authorizing the patient to receive a total of up to a ninety-day supply of a narcotic drug included in schedule II of title 21 United States Code section 812; and
 - (B) Authorize a prescription refill for a schedule III narcotic drug more than five times; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.



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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. 1176, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1176, H.D. 2.

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

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KARL RHOADS, Chair

ANGUS L.K. MCKELVEY, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Consumer Protection & Commerce

	Bill/Resolution No.:	e Referral:		Date:						
	HB 1176, HD1	HLT, CPC/JUD 03/04/15								
	□ 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 (W	R) Na	ys Excused				
	1. McKELVEY, Angus L.K. (C)									
	2. WOODSON, Justin H. (VC)									
	3. BELATTI, Della Au									
	4. BROWER, Tom									
-	5. CREAGAN, Richard P.									
-	6. HAR, Sharon E.		_							
•	7. HASHEM, Mark J.	/	mag							
	8. KAWAKAMI, Derek S.K.									
	9. LEE, Chris					$\overline{\mathbf{x}}$				
•	10. NAKASHIMA, Mark M.									
•	11. OSHIRO, Marcus R.									
	12. SAN BUENAVENTURA, Joy A.					·······				
	13. TAKAYAMA, Gregg		<u> </u>							
	14. YAMANE, Ryan I.									
	15. FUKUMOTO CHANG, Beth									
-	16. MCDERMOTT, Bob									
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	TOTAL (16)		10		-	Ý				
	The recommendation is: Adop	ted	Not Adopt	ted						
	If joint referral, did not support recommendation.									
	committee acronym(s)									
	Vice Chair's or designee's signature:									
	Distribution: Original (White) – Compatiee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO									

State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Commit		ee Referral:		Date:							
HB 1176, HDI	HLT	CPC/JVD			3/4/15						
□ The committee is reconsidering its previous decision on the measure.											
The recommendation is to: D Pass, unamended (as is) Z Pass, with amendments (HD) D Hold											
 Pass short form bill with HD to recommit for future public hearing (recommit) 											
JUD Members		Ayes	Ayes (W	(R)	Nays	Excused					
1. RHOADS, Karl (C)											
2. SAN BUENAVENTURA, Joy A.	(VC)	A									
3. BELATTI, Della Au	(Â									
4. BROWER, Tom		X									
5. CREAGAN, Richard P.		·				A					
6. HASHEM, Mark J.						×					
7. KAWAKAMI, Derek S.K.		5									
8. LEE, Chris		- K									
9. MORIKAWA, Dee		$\overline{\lambda}$									
10. NAKASHIMA, Mark M.		•				X					
11. TAKAYAMA, Gregg		K.									
12. WOODSON, Justin H.		A									
13. MCDERMOTT, Bob						\times					
14. THIELEN, Cynthia		<u> </u>				/					
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TOTAL (14)		10	Ő		\bigcirc	Y					
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) - Chief Clerk's Office Duplicate (Pink) - HMSO											