STAND. COM. REP. NO. 474 -18

Honolulu, Hawaii

February 14

2018

RE: H.B. No. 2125 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 2125 entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,"

begs leave to report as follows:

The purpose of this measure is to require every pharmacy to accept for disposal the return of any unused, remaining, or expired prescription drug that the pharmacy previously dispensed.

The University of Hawai'i at Hilo Daniel K. Inouye College of Pharmacy, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Kaiser Permanente Hawai'i, and two individuals supported this measure. Walgreen Co. and an individual opposed this measure. The Department of Health, Department of Public Safety, Board of Pharmacy, and Hawaii Pharmacists Association provided comments.

Your Committee notes the testimony provided by the Department of Public Safety, which provided several comments on this measure. The Department noted that pharmacies, in conducting take back operations for disposal, may be required to comply with several federal controlled substances laws, for which this measure does not provide.

Your Committee further notes the testimony provided by SanHi Government Strategies on behalf of Walgreen Co., which states that mandating pharmacies to take back unused, remaining, or expired prescriptions in their stores can be problematic because there is no Drug Enforcement Agency sanctioned facility in the State to dispose of such medications. Pharmaceutical waste generated by pharmacies cannot be destroyed in any other way, and it would be against federal law for some pharmacies, such as Walgreens, to ship pharmaceutical waste for disposal.

Your Committee recognizes the comments received from testimony and appreciates stakeholder collaboration on this measure to address the concerns raised.

Your Committee has amended this measure by changing its effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2125, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Health & Human Services,

J**O**HN M. MIZUNO, Chair

HSCR 424-18

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

## Record of Votes of the Committee on Health & Human Services

Bill/Resolution No.:  HB 2/25	Committee Referral:	Date	2-8-B	
☐ 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)				
HHS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)				
3. BELATTI, Della Au				- 2835-127-15 (\$166.0) - 2835-127-15 (\$166.0)
4 VEADMONT LED				
4. LEARMONT, Lei R.			Electrical de Carlo	
5. TUPOLA, Andria P.L.				
202022, 22022				
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TOTAL (5)	4			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				