



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of (HB 0700)
RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID
ANTAGONIST**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

REPRESENTATIVE TAKASHI OHNO, CHAIR
HOUSE COMMITTEE ON INTRASTATE COMMERCE

Hearing Date: February 12, 2019 Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) strongly supports this bill
3 which amends §461-11.8, Hawaii Revised Statutes to enable pharmacists to prescribe an opioid
4 antagonist in the name of the individual who is requesting the opioid antagonist and to allow
5 pharmacist to prescribe an opioid antagonist to any individual who requests them.

6 The DOH supports prescribing an opioid antagonist in the name of the individual who is
7 requesting the opioid antagonist. The way the statute is currently written, enabling the
8 pharmacist to prescribe and dispense in the name of the individual who is to be treated with an
9 opioid antagonist can result in Health Insurance Portability and Accountability Act of 1996
10 (HIPAA) problems, for example, if a prescription is prescribed and dispensed without the
11 recipient's knowledge. HB 0700 clarifies and corrects this statute to achieve the original intent of
12 last year's legislation (Act 154 HSL 2018) which expands access to opioid antagonists to assist
13 individuals at risk of an opioid overdose. It also enables discussion of insurance payment of the
14 medication for family members and caregivers who receive the opioid antagonist for a family
15 member.

16 Pursuant to Act 154 HSL 2018, the following steps were achieved:

1 The University of Hawaii School of Pharmacy has developed a training program for
2 pharmacists approved by the Accreditation Council for Pharmacy Education (ACPE). At least
3 fifteen pharmacists have taken this training and others have obtained ACPE-approved training
4 through other programs.

5 The Hawaii Opioid Initiative's Pharmacy-Based Interventions Workgroup has developed
6 fully-vetted written educational material on risk factors of opioid overdose, signs of an overdose,
7 overdose response steps, and the use of the opioid antagonist.

8 The DOH also supports adding other individuals who request an opioid antagonist. The
9 U.S. Food and Drug Administration encourages broader dissemination of opioid antagonists to
10 combat the U.S. opioid crisis, and HB 0700 is consistent with that goal.

11 Thank you for the opportunity to provide testimony.

Testimony of the Board of Pharmacy

**Before the
House Committee on Health
and
House Committee on Intrastate Commerce
Tuesday, February 12, 2019
8:30 a.m.
State Capitol, Conference Room 329**

**On the following measure:
H.B. 700, RELATING TO PHARMACISTS PRESCRIBING
AND DISPENSING OF OPIOID ANTAGONIST**

Chair Mizuno, Chair Ohno, and Members of the Committees:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill.

The purpose of this bill is to clarify the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members, and caregivers of opioid patients.

During the summer, the Board established a Pharmacy Working Group (Group), which consisted of major stakeholders in the pharmacy industry, including, but not limited to, representatives from both local independent and chain store pharmacies, the medical community, the Department of Health, the Department of Public Safety's Narcotics Enforcement Division, and the insurance industry. In particular, the Group discussed legislation introduced during the 2018 legislative session, including those measures that were enacted as law, those that did not pass, and other measures that affected the pharmacy scope of practice.

For the Committees' information, one of the many topics discussed was Act 154, Session Laws of Hawaii (SLH) 2018. Act 154, SLH 2018 authorizes pharmacists to prescribe, dispense, and provide related education on opioid antagonists to individuals at risk of opioid overdose and to family members and caregivers of individuals at risk of opioid overdose without the need for a written, approved collaborative agreement; subject to certain conditions.

The Group determined that in addition to family members, caregivers, or the individuals at risk for an opioid antagonist, further clarification is needed with respect to

the name on the prescription written by the pharmacist and to whom the opioid antagonist can be dispensed. The Group appreciates the bill's inclusion of the language "the individual who is requesting the opioid antagonist" on page 2, lines 12-13, as the Group had previously recommended this language. This amendment would allow for more access to the opioid antagonist and may also maintain an individual's privacy if he or she is the individual who is at risk for an opioid overdose and is "requesting" the opioid antagonist.

Thank you for the opportunity to testify on this bill.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Health
and
House Committee on Intrastate Commerce
Tuesday, February 12, 2019 at 8:30 a.m., Room 329
by
Marcia Sakai
Interim Chancellor
and
Carolyn Ma, PharmD, BCOP
Dean
Daniel K. Inouye College of Pharmacy (DKICP)
University of Hawai'i at Hilo

HB 700 – RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID ANTAGONIST

Chairs Mizuno and Ohno, Vice Chairs B. Kobayashi and D. Kobayashi, and members of the committees:

My name is Carolyn Ma, I am the Dean for the Daniel K. Inouye College of Pharmacy (DKICP). The University of Hawai'i at Hilo fully supports this bill that will authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members and caregivers of patients who may be at risk for an opioid overdose. We support the amendment that allows for the prescription for the opioid antagonist be in the name of the individual being treated with the opioid antagonist, or in the name of the individual who is requesting the opioids antagonist or "Opioid Antagonist Recipient" or "OAR".

Thank you for this opportunity to provide testimony.



HB700 Pharmacists Prescribe Naloxone

COMMITTEE ON HEALTH:

- Rep. Mizuno, Chair; Rep. Kobayashi, Vice Chair

COMMITTEE ON INTRASTATE COMMERCE:

- Rep. Ohno, Chair; Rep. Kobayashi, Vice Chair
- Tuesday, Feb. 12, 2019: 8:30 am
- Conference Room 329

Hawaii Substance Abuse Coalition Supports HB700:

GOOD MORNING CHAIRS, VICE CHAIRS AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of almost 40 non-profit alcohol and drug treatment and prevention agencies.

Per the Hawaii Opioid Initiative (a statewide response), a key goal to addressing the opioid misuse in Hawai'i is to develop processes for pharmacists to prescribe and dispense naloxone to individuals and/or their families.

- Focus Area 5 Pharmacy Based Interventions: Increase consumer education and prescription harm management through pharmacy-based strategies.

This bill is a huge opportunity for our community to effectively address opioid overdose and misuse problems.

We appreciate the opportunity to provide testimony and are available for questions.

HB-700

Submitted on: 2/10/2019 11:06:13 PM

Testimony for HLT on 2/12/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Drug Policy Forum of Hawaii	Support	No

Comments:

The Drug Policy Forum of Hawai'i strongly supports this measure to continue expanding the access to naloxone, an opioid antagonist that can reverse an overdose, in Hawai'i. We pushed for Act 68 of 2016 that first extended this access to community-based organizations, like the Hawai'i Health and Harm Reduction Center (then the CHOW Project), who are best poised to help some segments of the at-risk community. This bill complements Act 154 of 2018 and would reach an additional group, loved ones and family members of at-risk individuals. Upon enactment, they could more easily procure naloxone in their local pharmacy and help prevent at-home overdoses. Mahalo for the opportunity to testify.

HB-700

Submitted on: 2/11/2019 6:40:59 AM

Testimony for HLT on 2/12/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

Testimony of
Jonathan Ching
Government Relations Specialist

Before:
House Committee on Health
The Honorable John H. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair

House Committee on Intrastate Commerce
The Honorable Takashi Ohno, Chair
The Honorable Dale T. Kobayashi, Vice Chair

February 12, 2019
8:30 a.m.
Conference Room 329

Re: HB700, Relating to Pharmacist

Chair Mizuno, Chair Ohno, and committee members, thank you for this opportunity to provide testimony on HB700, which clarifies the scope of registered pharmacists' practices by allowing registered pharmacists to prescribe, dispense, and provide related education on opioid antagonists.

Kaiser Permanente Hawai'i SUPPORTS HB700.

Kaiser Permanente Hawai'i unequivocally agrees with the Legislature's finding that deaths caused by opioids are often preventable via timely administration of an opioid antagonist such as naloxone and is firmly committed to empowering health care professionals, such as pharmacists, who can safely provide naloxone and related education about the risks of opioid overdose.

HB700 further clarifies Act 154 Session Laws of Hawai'i 2018, which authorized pharmacists to prescribe and dispense opioid antagonists. Act 154 was passed to build upon Act 68, Session Laws of Hawai'i 2016, in which the Legislature took several steps to reduce opioid-related drug overdoses in the State by encouraging the use of opioid antagonists to assist individuals experiencing or at risk of experiencing an opioid-related drug overdose.

Kaiser Permanente notes that HB700 will help to address objectives in the *Hawaii Opioid Initiative Action Plan*, which is a statewide road map for prevention and treatment of opioid and other substance misuse issues. One of the key focus areas pertains to prevention and pharmacy-based interventions. Specifically, it will help in furtherance of Object 5-1b, which seeks to "modify Hawaii Revised Statutes to allow pharmacists prescriptive authority to prescribe

Naloxone to patients and **community members** to increase access to life-saving medication” (emphasis added).¹

Thank you for the opportunity to testify on this important measure.

¹ *The Opioid Initiative 2.0: A Statewide Response to Opioid Use and Other Substance Misuse*, page 17, available at: https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative_2.pdf.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 11, 2019

TO: Representative John Mizuno
Chair, Committee on Health

Representative Takashi Ohno
Chair, Committee on Intrastate Commerce

Submitted Via Capitol Website

FROM: Tiffany Yajima

RE: **H.B. 700 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist**
Hearing Date: Tuesday, February 12, 2019 at 8:30 a.m.
Conference Room: 329

Dear Chair Mizuno, Chair Ohno and Members of the Joint Committees:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 19 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens is in **strong support** of H.B. 700, which seeks to clarify the name on the prescription for an opioid antagonist by allowing pharmacists to prescribe and dispense opioid antagonists to patients, family members or caregivers of an individual who is at risk for an opioid overdose.

This measure addresses an implementation issue in Act 154 (2018) that was passed last year by making clear that pharmacists may prescribe and dispense an opioid antagonist in the name of the individual requesting it. Expanding the availability of this medication is an essential part of the public health response to the opioid epidemic. Without this clarifying language, opioid antagonists cannot be made widely available to individuals at risk for an opioid overdose and those who are in contact with them.

Hawaii is one of the last states where opioid antagonists are not made widely available to the community via pharmacies, and yet community involvement and training in preventing opioid overdoses is essential. Opioid antagonists remain underutilized in many overdose situations because many overdoses occur in places where immediate access to opioid antagonists is unavailable and first responders cannot reach a patient in time. Allowing this medication to be prescribed and dispensed in the name of the individual requesting it would make opioid antagonists more widely available in the community to aid in the reduction of drug overdoses in this state.

Walgreens is committed to comprehensive efforts to combat drug abuse. Nationally, Walgreens is engaged in a comprehensive plan to combat drug abuse by stocking Narcan®, an FDA-approved nasal form of naloxone, in its 8,000 pharmacies across the nation. Pharmacies play a key role in dispensing opioid antagonists because of the accessibility of pharmacies throughout the community, and because pharmacists are trusted, knowledgeable, accessible members of the community. Walgreens believes this bill is one way in which Hawaii can help to address opioid overdoses in the state.

Thank you for the opportunity to submit testimony in strong support of this bill.

HB-700

Submitted on: 2/11/2019 10:20:19 AM

Testimony for HLT on 2/12/2019 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Uyemoto	The Hawaii Pharmacist Association	Support	No

Comments:

**TESTIMONY ON HOUSE BILL NO. 700 - RELATING TO PHARMACISTS
PRESCRIBING AND DISPENSING OF OPIOID ANTAGONIST**

The Hawaii Pharmacist Association is in strong SUPPORT of HB700. Current language in ACT 154 (2018) limits certain pharmacy providers from dispensing naloxone to patients or caregivers who are requesting naloxone for another individual. The purpose of this bill is to amend the language so that pharmacists will also be able to prescribe and dispense an opioid antagonist in the name of the individual who is requesting the opioid antagonist. The amendment clarifies this statute to achieve the original intent of last year's legislation to increase access to opioid antagonist for all individuals who are at risk of an opioid overdose.

LATE

February 11, 2019

The Honorable John M. Mizuno, Chair
The Honorable Bertrand Kobayashi, Vice Chair
House Committee on Health

The Honorable Takashi Ohno, Chair
The Honorable Dale T. Kobayashi, Vice Chair
House Committee on Intrastate Commerce

Re: HB 700 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist

Dear Chair Mizuno, Chair Ohno, Vice Chair Bertrand Kobayashi, Vice Chair Dale Kobayashi,
and Committee Members:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 700, which clarifies the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, and family members and caregivers of opioid patients.

HMSA appreciates the intent of this Bill, however we respectfully raise the following comments and we ask the committee to adopt the following amendments:

- We believe that the definition of an “at risk” individual is necessary, and we ask that the following language be added to the bill:

An at risk individual is defined as someone who is at an increased risk for opioid overdose, based on a history of overdose, a history of substance use disorder, higher opioid dosages, or concurrent benzodiazepine usage.

- We recommend that the new statutory material being introduced to this measure be removed.
- Finally, we ask that a sunset date of June 30, 2024 be included in this measure, so that we have an opportunity to determine if the goals intended by this measure have been met.

Thank you for allowing us to express our concerns on HB 700. Your consideration of our comments is appreciated.

Sincerely,



Pono Chong
Vice President, Government Relations