

STAND. COM. REP. NO. **538** -22

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 1667
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1667, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that a pharmacist-in-charge of a pharmacy may sign off on applications to perform Clinical Laboratory Improvement Amendments waived tests; and
- (2) Clarify that pharmacists may order and perform all Clinical Laboratory Improvement Amendments waived tests that are approved or authorized by the United States Food and Drug Administration.

Your Committee received testimony in support of this measure from Walgreen Co., CVS Health, Hawaii-American Nurses Association, and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Health and one individual. Your Committee received comments on this measure from the Board of Pharmacy and Hawai'i State Center for Nursing.

Your Committee finds that despite the existing authority for pharmacists to perform assessment procedures, under existing

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Department of Health regulations, pharmacies that perform Clinical Laboratory Improvement Amendments waived tests are required to partner with a clinical laboratory director to sign off on the application to perform the tests. This requirement places Hawaii in a minority of states that still require a laboratory director to sign off on Clinical Laboratory Improvement Amendments waiver applications.

Your Committee further finds that the coronavirus disease 2019 pandemic has highlighted the need to address health care accessibility and streamline unnecessary administrative regulation. This measure supports that goal.

Your Committee has amended this measure by changing the examples under the definition of "clinical laboratory director" to clarify that either the first or second health care professional, and not both, are necessary to qualify as a clinical laboratory director.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1667, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1667, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LUNG JOHANSON, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1667, HD1	Committee Referral: HHH, CPC, FIN	Date: 2/11/22		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee				✓
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	10	0	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Yvonne Stargam</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				