

STAND. COM. REP. NO.

1884

Honolulu, Hawaii

, 2023

APR 03

RE: S.B. No. 473

S.D. 1

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 473, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY,"

begs leave to report as follows:

The purpose of this measure is to exempt manufacturers, wholesale distributors, and third-party logistics providers of home dialysate drugs or devices from the license, registration, and permit requirements for pharmacies, under certain conditions.

Your Committee received testimony in support of this measure from Liberty Dialysis - Hawaii and Environmental Caucus of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that patients who need dialysis may have the option of treating in the comfort of their own home rather than at an outpatient dialysis center. Your Committee further finds that home dialysis may be the best option for treating kidney failure, as home dialysis can provide greater scheduling flexibility, fewer food restrictions, and better outcomes. This measure facilitates expanded access to home dialysate drugs and devices to allow for more home dialysis treatments.

2023-2993 SB473 HD2 HSCR HMSO



Your Committee has amended this measure by:

- (1) Expanding the exemption to manufacturers engaged in the direct distribution to qualified persons;
- (2) Clarifying that the dialysate drugs or devices may be delivered pursuant to an order issued by a physician assistant or an advanced practice registered nurse with prescriptive authority, in addition to a physician; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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 S.B. No. 473, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 473, S.D. 1, H.D. 2.

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



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 473 SDI HDI	Committee Referral: HLT, CPC	Date: 03-28-23		
<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. NAKASHIMA, Mark M. (C)	/			
2. SAYAMA, Jackson D. (VC)	/			
3. AMATO, Terez	/			
4. BELATTI, Della Au	/			
5. HASHEM, Mark J.	/			
6. HUSSEY-BURDICK, Natalia	/			
7. GATES, Cedric Asuega	/			
8. LOWEN, Nicole E.				/
9. ONISHI, Richard H.K.				/
10. TAM, Adrian K.	/			
11. PIERICK, Elijah	/			
TOTAL (11)	9			2
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: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				