

Honolulu, Hawaii

APR 27 2023

RE: S.B. No. 602
S.D. 2
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

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

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 602, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Authorize pharmacists to order, perform, and report the results of certain Clinical Laboratory Improvement Amendments of 1988 (CLIA)-waived tests; and
- (2) Specify educational and permitting requirements for the ordering, performance, and reporting the results of certain CLIA-waived tests.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic highlighted the critical need for improving access to



health care testing. Your Committee on Conference further finds that while pharmacists possess the skills and knowledge necessary to perform CLIA-waived tests, which are simple tests that are non-technical and present a low risk for erroneous results, the scope of practice for pharmacists under existing state law does not explicitly authorize performance of these tests. This measure amends the definition of "practice of pharmacy" under state law to specify that pharmacists may order, perform, and report the results of certain CLIA-waived tests to improve access to health care across the State.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that, for any CLIA-waived tests performed, pharmacists shall follow all applicable state laws and rules regarding the reporting of all diseases, rather than just communicable diseases; and
- (2) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 602, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 602, S.D. 2, H.D. 1, C.D. 1.

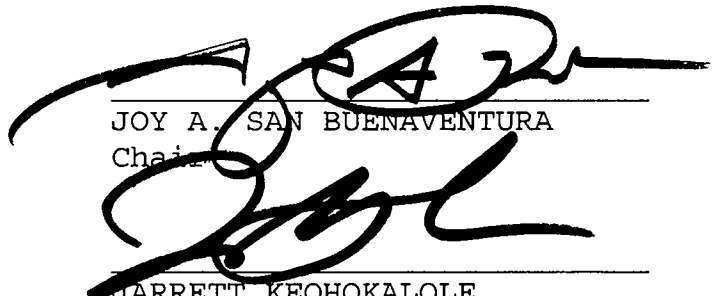
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



MARK M. NAKASHIMA
Chair



JOY A. SAN BUENAVENTURA
Chair



JARRETT KEOHOKALOOLE
Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: SB 602, SD 2, HD 1	Date/Time: 01/26/23 4:48 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
SAN BUENAVENTURA, Joy A., Chr.	/				NAKASHIMA, Mark M., Chr.	/			
KEOHOKALOLE, Jarrett, Co-Chr.	/				SAYAMA, Jackson D.	/			
AQUINO, Henry J.C.				/	PIERICK, Elijah	/			
TOTAL	2	0	0	1	TOTAL	2	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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