

STAND. COM. REP. NO.

1048

Honolulu, Hawaii

MAR 03 , 2023

RE: H.B. No. 218

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 H.B. No. 218, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require dispensing pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading standard printed labels on prescription drug containers;
- (2) Require dispensing pharmacies to make sustained, periodic, and reasonable efforts to inform the public that prescription drug label information is available in accessible formats; and
- (3) Require the Board of Pharmacy to adopt rules by December 31, 2025, to carry out the purposes of this measure.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, The Kūpuna Caucus of the Democratic Party of Hawai'i, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors,

2023-2379 HB218 HD2 HSCR HMSO



National Organization of Parents of Blind Children, and eight individuals. Your Committee received comments on this measure from the Department of Human Services, Board of Pharmacy, Times Pharmacy, and two individuals.

Your Committee finds that certain drug information must be affixed to the label on a prescription drug container. This information includes the "use by" date, number of authorized refills, and directions for proper use. Your Committee further finds that persons who have difficulty seeing or reading standard printed labels are at risk of inadvertently taking the wrong medication, wrong amount, or under the wrong directions. This measure promotes health and safety by requiring that pharmacies provide accessible prescription drug label information.

Your Committee recognizes that this measure may have a fiscal impact on smaller pharmacies.

Accordingly, your Committee has amended this measure by:

- (1) Exempting pharmacies that are sole proprietorships with no more than two pharmacists;
- (2) Specifying that the rules required to be adopted under this measure be done pursuant to the Hawaii Administrative Procedure Act; 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 H.B. No. 218, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 218, 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.: HB 218 HD1	Committee Referral: HLT, CPC	Date: 03-01-23		
<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)	8			3
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: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				