

STAND. COM. REP. NO. 3413

Honolulu, Hawaii

APR 02 2024

RE: H.B. No. 1836
H.D. 2
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 1836, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to allow registered pharmacists, during declared states of emergency, to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

Your Committee received testimony in support of this measure from the Board of Pharmacy, Hawai'i State Council on Developmental Disabilities, Hawai'i Primary Care Association, Healthcare Association of Hawaii, American Cancer Society Cancer Action Network, Hawaii Medical Service Association, Walgreen Co., and two individuals.

Your Committee finds that even slight delays in prescription refills can have negative impacts on patient health and can be especially harmful for those with chronic health conditions, such as high blood pressure, heart disease, and diabetes, that require medication to be taken every day. Your Committee further finds



that during a state of emergency, patients who are unable to reach their practitioner to obtain a prescription refill authorization can go days or weeks without the medications they require, placing them at risk of worsening disease, hospitalization, or death. Therefore, this measure allows registered pharmacists to refill prescriptions during a state of emergency under certain conditions to ensure that patients can obtain their necessary medications in a timely manner.

Your Committee has amended this measure by:

- (1) Inserting language clarifying that refills of prescriptions without the practitioner's authorization pursuant to this measure is limited for persons directly impacted by the declared emergency;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Inserting an effective date of July 1, 2040, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1836, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1836, H.D. 2, S.D. 2.

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



TERETE KEOHOKALOLE, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
HB1836 HD2 SD1	HHS/PSM, CPN	3/27/24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				
RICHARDS, III, Herbert M. "Tim"	✓	✓		✓
AWA, Brenton	✓			
TOTAL	3	1		1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes