



STATE OF HAWAII
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WRITTEN
TESTIMONY
ONLY

In reply, please refer to:
File:

**Testimony in SUPPORT of SB2119
RELATING TO OUT-OF-STATE PRESCRIPTIONS**

SENATOR JARRETT KEOHOKALOOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
Hearing Date: 2/20/2024 Room Number: 229

1 **Fiscal Implications:** This measure will not impact the priorities identified in the Governor's
2 Executive Budget Request for the Department of Health's (Department) appropriations and
3 personnel priorities.

4 **Department Testimony:** The Department supports SB2119 to amend Hawaii Revised Statutes
5 (HRS) Section 328-17.6(b) and (d) to allow out-of-state pharmacies to transfer prescription
6 information to in-state pharmacies for the initial fill/dispensing of prescriptions.

7 Currently, an out-of-state pharmacy may only transfer prescription information to an in-
8 state pharmacy for refilling purposes. When a visitor to the State requires acute medication like
9 antibiotics while on vacation, additional steps are necessary for an in-state pharmacy to dispense
10 the visitor's initial out-of-state prescription. This may potentially delay treatment.

11 Provided that all other prescription and dispensing requirements have been met, the
12 Department supports reducing barriers and facilitating access to prescription medications
13 originating from out-of-state pharmacies. Accordingly, the Department supports amending HRS
14 Section 328-17.6(b) and (d) to permit out-of-state transfers of prescription information for initial
15 fill/dispensing.

16 Thank you for the opportunity to testify.

17 **Offered Amendments:** None

Written Testimony of the Board of Pharmacy

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 20, 2024
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S. B. 2119, RELATING TO OUT-OF-STATE PRESCRIPTIONS**

WRITTEN TESTIMONY ONLY

Chair Keohokalole and Members of the Committee:

My name is James Skizewski, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill.

The purpose of this bill is to authorize out-of-state pharmacies to transfer prescription information to an in-state pharmacy for the initial fill of a prescription.

The Board has no issues with this bill amending Hawaii Revised Statutes (HRS) sections 328-17.6(b) and (d) to allow out-of-state pharmacies to transfer prescription information to in-state pharmacies for the initial fill/dispensing of prescriptions. This bill will align HRS chapter 328 with the Board's administrative rules. Specifically, Hawaii Administrative Rule §16-95-84, Transfer of Prescriptions, states:

- (a) Transfers of prescription information for the purpose of initial fill or refill dispensing is permissible between pharmacies provided the pharmacist transferring the prescription provides all information necessary for a valid prescription, and records on the prescription, the name and location of the pharmacy receiving the prescription, the name of the pharmacist receiving the prescription information, the date of transfer, and the name of the pharmacist transferring the prescription, or notes the pharmacist's name on the electronic files, and records that the prescription is inactivated or made void for future refills at the location from which it is being transferred.
- (b) The pharmacist receiving the transferred prescription information shall indicate the name of the pharmacist transferring the prescription as well as the transferring pharmacist's or pharmacy name, the transferring pharmacy's name,

location, and original prescription number, the original date the prescription was written, the number of refills or quantity remaining on the prescription, and the last date the prescription was filled.

(c) All records of transferred prescriptions shall be maintained for a period of five years from the date of filling or refilling.

The Board acknowledges the importance of this bill, which will prevent the possible delay of treatment related to the access of prescription medication. Hawaii is a travel destination for many out-of-state visitors, and it is common for a patient traveling to the State to be in need of an antibiotic or similar medication. Currently in this situation, pharmacists are required to get in touch with the patient's out-of-state practitioner for a verbal order. This practice creates an additional barrier to healthcare and delay in treatment. The bill will resolve this issue by providing clear and direct guidance, which permits the transfer of prescription information for the purpose of initial prescription dispensing and refills.

Thank you for the opportunity to testify on this bill.

Testimony of
Jonathan Ching
Government Relations Director

Before:
Senate Committee on Commerce and Consumer Protection
The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair

February 20, 2024
9:35 p.m.
Conference Room 229 and via Videoconference

Re: SB 2119, Relating to Out-of-State-Prescriptions

Chair Keohokalole, Vice Chair Fukunaga, and committee members, thank you for this opportunity to provide testimony on SB 2119, which authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription within Hawai'i.

Kaiser Permanente Hawai'i SUPPORTS SB 2119.

Kaiser Permanente Hawai'i is Hawai'i's largest integrated health system that provides care and coverage for approximately 271,000 members. Each day, more than 4,400 dedicated employees and more than 650 Hawai'i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai'i to care for our members at our 19 medical facilities, including Moanalua Medical Center, providing high-quality care for our members, and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

Kaiser Permanente Hawai'i manages a high volume of prescription drug fills and patient care responsibilities, and we regularly evaluate our pharmacy operations to eliminate waste and redundancy. Kaiser Permanente Hawai'i supports SB 2119 because permitting a Hawai'i pharmacy to accept a prescription transfer from an out-of-state pharmacy for an *initial fill* benefits the patient *without* increasing patient safety risk, aligns with state pharmacy rules (Haw. Admin. Rules §16-95-84) and avoids operational waste and redundancy.

It is common for a patient vacationing in Hawai'i to require an acute medication such as an antibiotic. When the patient contacts their physician, the prescription is sent to a pharmacy in the patient's home state. Currently, it is impermissible for a Hawai'i pharmacy to receive prescription information from an out-of-state pharmacy for dispensing the first fill in Hawai'i. A Hawai'i pharmacist must then contact the prescriber for a verbal order in order to fill the initial prescription in Hawai'i, resulting in treatment delays for the patient and workflow redundancy. This scenario occurs several times per week at Kaiser Permanente Hawai'i pharmacies. Given the high rate of

occurrence, SB 2119 will substantially benefit a large patient population by helping to decrease patient wait times, improve customer service, and enhance patient care overall.

Thank you for the opportunity to provide testimony on this important measure.



1275 Pennsylvania Avenue, NW
Suite 700
Washington, DC 20004

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair
Senate Commerce and Consumer Protection Committee

Tuesday, February 20, 2024; 9:35 a.m.
Conference Room 229

RE: SB 2119 - Relating to Out-of-State Prescriptions – In Support

Aloha Chair Keohokalole, Vice Chair Fukunaga and Members of the Committee:

CVS Health is writing to share with you our support for SB 2119, which authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription. The amendments within are an improvement to patient access to their prescription needs and alleviate the need for pharmacists and prescribers to take additional time in facilitating a new prescription order. Patients visiting Hawaii with a new prescription order on file at out-of-state pharmacies should be able to arrive at a local pharmacy and have the prescription on file transferred into the state.

On behalf of CVS Health, I thank you for the opportunity to provide comments of support for your consideration.

Respectfully,

Carla Saporta Cheng
Senior Director of State Government Affairs
CVS Health



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GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 20, 2024

TO: Senator Jarrett Keohokalole
Chair, Senate Committee on Commerce and Consumer Protection

FROM: Tiffany Yajima / Mihoko Ito

RE: **S.B. 2119 – Relating to Out-of-State Prescriptions**
Hearing Date: Tuesday, February 20, 2024 at 9:35 a.m.
Conference Room: 229

Dear Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee on Commerce and Consumer Protection:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 9,000 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens has 17 stores on the islands of Oahu and Maui.

Walgreens is in **support** of this measure, which authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription medication.

Hawaii hosts many out of state visitors who often can require prescription medication while visiting. When an out-of-state patient requires prescription medication, the patient’s practitioner would typically issue the patient’s prescription to an out-of-state pharmacy. Because Hawaii’s pharmacy statute does not explicitly permit out-of-state pharmacies to transfer prescription information to in-state pharmacies for dispensing an initial prescription fill, local pharmacists must contact out-of-state practitioners for a verbal prescription order. This results in workflow redundancy for the pharmacy and the medical practitioner and ultimately can cause a delay in treatment for the out-of-state patient.

This measure makes it clear that an out-of-state pharmacy may transfer prescription information for both initial dispensing and refills. Walgreens supports making out of state transfers for initial fill prescriptions easier for pharmacists to reduce workflow redundancy and simultaneously simplify the process for patients to ensure timely administration of prescription medication. As such, Walgreens is in support of this measure.

Thank you for the opportunity to submit this testimony.

SB-2119

Submitted on: 2/16/2024 12:50:06 PM

Testimony for CPN on 2/20/2024 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Ronald Taniguchi, Pharm.D., MBA	Individual	Support	Written Testimony Only

Comments:

I support the passage of SB2119 as written. Mahalo