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## DISABILITY AND COMMUNICATION ACCESS BOARD

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February 8, 2023

### TESTIMONY TO THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

#### Senate Bill 608 – Relating to Prescription Drugs

The Disability and Communication Access Board (DCAB) supports Senate Bill 608 – Relating to Prescription Drugs.

People with disabilities who cannot read print prescription drug container labels may inadvertently take the wrong medication, the wrong amount, at the wrong time, and under the wrong instructions, thereby endangering the health and safety of themselves and family members for whom they are caregivers. This bill should reduce these concerns by requiring pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



CATHY BETTS  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 7, 2023

TO: The Honorable Senator Joy A. San Buenaventura, Chair  
Senate Committee on Health & Human Services

FROM: Cathy Betts, Director

SUBJECT: **[SB 608](#) – RELATING TO PRESCRIPTION DRUGS.**

Hearing: Wednesday, February 8, 2023, 1:00 p.m.  
Conference Room 225 & Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of the measure, provides comments, and defers to pharmacists regarding implementation.

**PURPOSE:** The purpose of the bill is to require pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels.

DHS appreciates local pharmacies' assistance to Hawaii's vulnerable populations throughout the pandemic and defers to them regarding implementing the measure's provisions. However, the ability to read one's prescription medication labels in an accessible format is an essential matter of public health and safety and should be available to all of Hawaii's people. In addition, DHS supports efforts that improve accessibility for individuals with disabilities and enhances their independence.

Thank you for the opportunity to provide comments on this measure.

Testimony of James Gashel  
Submitted for National Federation of the Blind of Hawaii  
Committee on Health and Human Services (HHS)  
Hawaii State Senate  
Thirty-second Legislature, regular session of 2023  
February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. I am James Gashel, representing the National Federation of the Blind of Hawaii, fully supporting SB608. Much mahalo to Senator San Buenaventura who also chairs our Deaf and Blind Task Force for bringing this bill forward this year.

This bill will help people identify their prescriptions and access instructions about when and how much to take. The target group is people who have difficulty reading printed prescription drug labels due to vision loss or for any other reason. As the bill explains, label information can be displayed in alternate accessible formats.

Existing state law requires dispensing pharmacies to label each prescription drug container with specific information, identifying the drug and providing information necessary for health and safety. However, individuals may often be unable to see or read labels due to disability or age, including individuals with low vision or blindness, affecting as many as an estimated 60,000 residents in our state.

Technology solutions are available to provide prescription drug container label information, directions, and instructions in alternate accessible formats, not just small print. For example, one of many available solutions is to use a readily produced RFID (radio frequency identification) tag, prepared at the pharmacy and affixed to any prescription bottle to communicate with a consumer's mobile phone with an RFID reader app or program. The information is transferred from the RFID tag to the RFID reader when the phone is held near the container to which the tag is affixed. Preparation of a tag is as easy for the pharmacy as printing a standard label.

Section 904 of the federal Food and Drug Administration Safety and Innovation Act, passed in 2012, authorized the U.S. Access Board to adopt "best practices" to make prescription drug container labels accessible to persons who are blind or visually impaired. The resulting "best practices," issued by the Access Board, recommend providing labels in alternate accessible formats and are generally supported by the pharmaceutical industry and consumers.

We're asking the legislature to pass this bill because regulation of prescription drug labels is largely a state, not a federal, responsibility. Use of alternate formats would enhance accessibility of prescription drug container labels for everyone, furthering our state's health, safety, and public interest goals. Mahalo for your consideration of SB608 this year.

# THE KŪPUNA CAUCUS



Feb. 6<sup>th</sup> 2023 for HHS\_02-03-23 1:00 pm Hearing

TO: THE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

CONCERNING: SB606 (Relating to Hearing Aids), SB608 (Relating to Prescription Drugs), SB609 (Relating to Hearing Aids), SB900 (Relating to Health Insurance Assistance Program), SB 901 (Care Facility Inspections), SB902 (Relating to Caregivers), SB1592 (Relating to Senior Medicare Patrol Program). SB853 (Relating to Healthy Aging Partnership), SB 442 (Relating to Health)

POSITION: Full support

Aloha Chair Buenaventura, Vice Chair Aquino and members of the committee

The Kupuna Caucus of the Democratic Party of Hawaii supports the bills listed above and hopes they will be passed.

It has taken long enough for Federal and State health programs to recognize the vital importance of hearing aids to seniors who suffer disproportionately from gradual hearing loss. Hearing assistance is vital to self-sufficiency, to personal safety, and for the people a senior may interact with on a daily basis. Any bill that supports financial assistance in buying hearing aids is worthy of support.

The recent COVID pandemic demonstrated the need for more stringent and frequent inspections of care facilities and the need to provide the results to the public before they trust a place with their loved ones.

There is a serious shortage of care givers especially those who work for agencies that accept Federal or state assisted insurance programs. One reason is because the businesses keep almost all of the money paid by the insurance for the hourly services and pay the workers poorly. Better training and a higher wage will provide more and better in home care.

Please continue to support agencies and department services that assist Kupuna to live out their lives with dignity, healthy, safe and well cared for.

Martha Randolph for  
The Kupuna Caucus

**SB-608**

Submitted on: 2/7/2023 12:51:41 PM

Testimony for HHS on 2/8/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tabatha Mitchell	Testifying for National Organization of Parents of Blind Children	Support	In Person

Comments:

Aloha Committee Members,

I am a parent of a blind child on Oahu. I serve on the Board of the National Organization of Parents of Blind Children. It is an organization that gave so much to me and my family in our darkest hour of need when we were trying to learn how to simply parent our child that was identified as blind from a rare genetic disorder.

In this position, I work with parents around the nation. Over the years I have worked with parents distributed throughout the Hawaiian islands.

We train our blind kids on how to access print material. They do it every day in schools across Hawaii. Our blind kids have the skill to access information on their prescriptions; but they can only access that information if it is in a format that they can use. The one thing they cannot use is print. Labels might as well be invisible if their only option is print. Technology exists to make prescription information accessible to our blind and low vision kids. It is medical information. It should not rely on a pharmacy "being nice" or "just happening to know about the technology". The awareness & know how should be provided across the state and it should be included in all pharmacy training.

Please support bill SB608 to help our blind kids get their medical information to be able to maintain their medical rights at sixteen.



**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 6, 2023

TO: Senator Joy San Buenaventura  
Chair, Senate Committee on Health & Human Services

FROM: Mihoko Ito / Tiffany Yajima

RE: **S.B. 608 – Relating to Prescription Drugs**  
**Hearing Date: Wednesday, February 8, 2023 at 1:00 p.m.**  
**Conference Room: 225**

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Dear Chair San Buenaventura, Vice Chair Aquino, and members of the Committee on Health & Human Services:

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 submits **comments** regarding this measure, which requires pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels.

Walgreens supports making prescription drug label information accessible for those who have difficulties seeing or reading prescription drug container labels. In Walgreens pharmacies, prescription drugs are offered with a “Talking Pill Reminder” device which helps patients with visual impairments. This device, which attaches to the bottom of prescription vials, allows for the recording of all pertinent information that is found on the prescription drug labels.

For these reasons, Walgreens supports the intent of this bill in its current form.

Thank you for the opportunity to submit this testimony on this measure.

**Testimony of the Board of Pharmacy**

**Before the  
Senate Committee on Health and Human Services  
Wednesday, February 8, 2023  
1:00p.m.  
Conference Room 225 and Videoconference**

**On the following measure:  
S.B. 608, RELATING TO PRESCRIPTION DRUGS**

Chair San Buenaventura and Members of the Committee:

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

The purpose of this bill is to require pharmacies to (1) provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels; (2) inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and (3) require the Board of Pharmacy to adopt certain rules by December 31, 2023.

The Board will review and take a position on S.B. 608, Relating to Prescription Drugs, at its meeting on February 16, 2023. The Board will provide the Committee with updated information about its position following the meeting.

Thank you for the opportunity to testify on this bill.

**SB-608**

Submitted on: 2/7/2023 11:13:40 AM

Testimony for HHS on 2/8/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clifford Miyashiro	Individual	Support	In Person

Comments:

Testimony of Clifford Miyashiro  
Committee on Health and Human Services (HHS)  
Hawaii State Senate  
Thirty-second Legislature, regular session of 2023  
February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. I am Clifford Miyashiro, testifying to support SB608.

This bill is very important to me as a blind person. It should be obvious, when you have several prescription bottles, you need to be able to know one from another. You need to know the particular directions for how many pills to take, when, and how often to take them. The print labels say this, but I can't read any print at all.

Several solutions are available to identify prescription containers in more ways than just having to read print. Pharmacies definitely need to work on this. Please pass SB608 which will require them to do so.

Mahalo for considering this bill.

Testimony of Virgil Stinnett

Committee on Health and Human Services (HHS)

Hawaii State Senate

Thirty-second Legislature, regular session of 2023

February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. My name is Virgil Stinnett, President of The National Federation of the Blind of Hawaii, in support of SB608.

I'd like to give thanks to Senator San Buenaventura, chair of our Deaf and Blind Task Force for her support by bringing SB608 forward this legislation session.

If passed, SB608 will help people like myself, a blind businessman, identify my prescriptions. Easily enable me to access instructions about when and how much to take. For most of us, the older we get the more types of prescriptive medications we must take. If only using 1 medication, I might know what it is, but don't always know the milligrams or how often to take it. If I have an emergency medication, then it starts to compound the lack of accurate use of my medications safely. If passed, this bill will remove barriers, create timely access and reduce the cost of getting personal support used to see the labels.

I stand in full support of the testimony submitted by the National Federation of the Blind of Hawai'i.

Mahalo for your consideration and Yes vote to pass SB608 this session.

**SB-608**

Submitted on: 2/6/2023 7:10:26 PM

Testimony for HHS on 2/8/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ann Lemke	Individual	Support	Remotely Via Zoom

Comments:

Honorable chair, vice chair, and members of HHS committee: My name is Ann Lemke and I am a totally blind senior citizen. I have been retirec from Windward Community College for 2 years and I live alone in Kaneohe. I take 3 medications and generally receive them by mail. I have asked my pharmasy to provide labels that I can read. They generally say that they have heard that such labels exist but that they don't know how to make it happen. I usually try to get my new supply of medication before I am completely out of my previous supply, in order that I may compare the pills by touch. This is certainly not an error-proof method. This legislation will help us have access to medication and will help standardize the approaches pharmasies use to serve their print-disabled customers. Your kind support will be most welcome.

Testimony of Katie Keim

Committee on Health and Human Services (HHS)

Hawaii State Senate

Thirty-second Legislature, regular session of 2023

February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. My name is Katie Keim, a member and leader in The National Federation of the Blind of Hawaii, in support of SB608.

We give thanks to Senator San Buenaventura, chair of our Deaf and Blind Task Force for her support by bringing SB608 forward this legislation session.

SB608 is very personal to me and if passed, SB608 will help people like myself, a blind type 1 diabetic and local professional in Honolulu. Blindness came to me at the age of 36 as a result of long term, 56 years today, of juvenile diabetes. Identifying my increasing quantity of prescriptions during my 28 years of blindness has become an overwhelming issue to manage. It was fine when I had only insulin, yet added medications has come with time and age causing potential safety issues in my personal management of my medications. A simple accessible plan to identify expiration dates, daily dosage, milligrams of each dose, how many refills, and potential contradicting medication or foods of my regular let alone emergency medications would support my continuing to manage and monitor my own health independently and safely as I have for most of my life.

I stand in full support of the testimony submitted by the National Federation of the Blind of Hawai'i.

Mahalo for your serious consideration and vote to pass SB608 this session.

Brandon Young

2/5/2023

Committee on Health and Human Services (HHS)  
Hawaii State Senate  
Thirty-second Legislature, regular session of 2023  
February 8, 2023, 1:00 PM, hearing on SB614

Dear Chair Joy San Buenaventura and other committee members,

My name is Brandon Young, and I am a member of the National Federation of the Blind of Hawaii. I am submitting testimony in support of SB 614. This bill would help to provide services to blind persons on the neighbor islands. I would hope that you and your committee consider this bill for passage.

The bill that I am testifying on would provide rehabilitation services for the blind and visually impaired on the neighbor islands. Currently, blind people on the neighbor islands do not get rehabilitation services at their homes. Most people must travel to Oahu to receive rehabilitation services from the New Visions program at Ho`opono Services for the Blind branch. As blind people who have received rehabilitation training ourselves, we would be willing to provide members of the National Federation of the Blind and other organizations to provide these services that are currently not available for these people that live outside of Oahu. We would work with the current Vocational Rehabilitation system to fill in the gap that is not being provided at this moment.

I want to relet you know that rehabilitation services are very important for blind people to live independent lives. This bill would help the many blind people on outer islands that are currently not getting services to help them live independently. Thank you for taking the time to hear and consider our bill. I again would recommend that you pass this bill. Thank you again and I hope you have a great day.

**SB-608**

Submitted on: 2/6/2023 2:24:33 AM

Testimony for HHS on 2/8/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Miyajima	Individual	Support	Written Testimony Only

Comments:

I think prescription drug info should be made more accessible, so I support this bill.

February 8, 2023

Testimony of Eleanor Macdonald  
Submitted to the Hawaii State Senate  
COMMITTEE ON HEALTH AND HUMAN SERVICES

Honorable Senator Joy San Buenaventura, Chair  
Honorable Senator Henry Aquino, Vice Chair

Re: SB 608, RELATING TO PRESCRIPTION DRUGS

Dear Madam Chair San Buenaventura, Vice Chair Aquino and Members,

I would like to fervently support SB 608, Relating to Prescription Drugs.

I am retired now, but for many years I worked with rehabilitation agencies providing direct services to individuals who were deaf, hard of hearing and deaf-blind.

My husband of 44 years is a retired federal computer systems analyst with no useful sight or hearing. He uses braille and other tactile markings enabling him to keep up with daily news, email, chess tournaments and Sudoku puzzles.

But medications are the current challenge. My husband takes 16 assorted pills, capsules or tablets each day, and he needs to know which is which. He has been able to handle this by the unique feel of each bottle or the size/shape of the pill. But when the pharmacy changes the container because of a change in supplier or as a practical expediency - it is challenging to keep up. Taking/not taking the wrong medication can be very dangerous.

We were recently told that Longs Drugs/CVS could provide medications with braille labels so we requested this. A few hours later, we were told that their machine was broken so sorry no braille labels.

Explicit labeling of prescription drugs in alternative accessible format for individuals who have difficulty seeing or reading prescription container labels should be mandated. The Board of Pharmacy needs to adopt specific rules to require equal access of medication labels for health and safety reasons.

I strongly urge you to enact this legislation.

Mahalo,  
Eleanor Macdonald, M.Ed., CRC (ret.)



**SB-608**

Submitted on: 2/6/2023 9:56:39 PM

Testimony for HHS on 2/8/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Adrie Jo Mitchell-Butler	Individual	Support	Written Testimony Only

Comments:

Aloha Committee members,

I am submitting this testimony in support of SB608. My sister is blind. I completed the KCC pharmacy technician program and worked over 140 hours in the pharmacy. In addition to rigorous class work where we learned about pharmacy laws, I have also grown up alongside my sister that is blind and uses accessibility tools daily. I know it is her right and her desire to be able to read her own medication labels. It is a complete invasion of her privacy for her to have to ask someone to read things to her that are only available in print. Blind people being able to get their prescriptions in a format that they can access & interpret is a necessity and quite frankly common sense.

I ask you to pass this bill because it is the customers right and it should occur every time without complications for the customer. Therefore, training & awareness within the Board of Pharmacy should be required by the state of Hawaii and not rely on "recommendations" from Federal best practices.

**SB-608**

Submitted on: 2/7/2023 11:40:18 AM

Testimony for HHS on 2/8/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Emerie Mitchell-Butler	Individual	Support	Written Testimony Only

Comments:

Testimony of Emerie Mitchell-Butler

Committee on Health and Human Services (HHS)

Hawaii State Senate

Thirty-second Legislature, regular session of 2023

February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. I am Emerie Mitchell-Butler, a blind person living in Hawaii. I strongly support SB608.

I haven't had many prescriptions I can remember. However, what I do remember is the lack of information provided to me by the print label. I am blind, and therefore cannot read print at all. As a child, my parents would help me take my medicine at the correct time and in the correct amount, as all parents do for their young children. Blind adults living on their own take medicine too, and also need access to this critical medical information, but may not have someone to tell them about the label. They shouldn't need one.

The information on a prescription label is vital to taking the prescription, which is why it must be complete and accurate. But not everyone can read the standard printed label. Fortunately, providing label information which can be accessed by folks who can't read the label is fairly simple. One way is for the pharmacy to attach a radio frequency identification tag, RFID tag for short, which stores the information. The customer can then use a mobile device or other device to access the information on the label.

This bill will insure everyone has the information necessary to take their prescriptions independently and safely. SB608, if passed, would only help people. Everyone has the potential to lose their vision, and many Hawaii residents already can't see enough to access the information on their prescription labels. Please consider supporting this bill, so everyone can be healthy and safe.

Thank you for the opportunity to testify.

Emerie Mitchell-Butler

Testimony of Hoku Burrows

Committee on Health and Human Services (HHS)

Hawaii State Senate

Thirty-second Legislature, regular session of 2023

February 8, 2023, 1:00 PM, hearing on SB608

Good afternoon chair, vice chair, and members. My name is Hoku Burrows, a proud member of the National Federation of the Blind of Hawaii, supporting SB608.

Mahalo nui loa to Senator San Buenaventura, chair of our Deaf and Blind Task Force for her bringing this bill forward this session.

I stand in support of the testimony submitted by the National Federation of the Blind of Hawai'i.

Mahalo nui loa for your support of SB608.