

**STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY**
DEPARTMENT OF HEALTH - KA 'OIHANA OLAKINO

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GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

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March 18, 2026

TO: SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair
Honorable Members

FROM: John C. (Jack) Lewin, MD, Administrator, SHPDA, and Sr. Advisor to Governor
Josh Green, MD on Healthcare Innovation

RE: **HB 1550-HD2 -- RELATING TO HEALTH**

HEARING: Friday, March 20, 2026 @ 1:00 pm; Conference Room 225

POSITION: SUPPORT with COMMENTS

Testimony:

SHPDA strongly supports HB 1550-HD2 with comments.

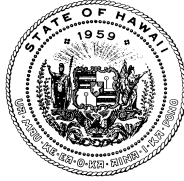
This bill strengthens Hawai'i's overdose-prevention and harm-reduction efforts by ensuring that drug checking tools are legally accessible and not treated as "drug paraphernalia." By exempting additional testing products from the paraphernalia definition, the bill seeks to give individuals, service providers, and communities accurate information about what may be present in a substance to help reduce accidental and fatal overdoses.

This bill can save lives by making it easier for people and frontline organizations to identify harmful contaminants in an increasingly unpredictable drug supply, which can help prevent accidental overdoses and guide safer, faster responses. It also supports public health outreach by allowing programs to use a wider range of drug-checking tools, so they can better spot emerging threats like xylazine and medetomidine and customize education and services. The bill helps reduce barriers for providers and community partners working to keep people safer and connect them to care.

In closing, this bill is a practical step to strengthen Hawai'i's response to a rapidly changing overdose crisis. It supports evidence-based strategies, helps communities stay ahead of new drug threats, and reinforces a compassionate approach that prioritizes safety and prevention.

Thank you for hearing HB 1550-HD2 and mahalo for the opportunity to testify.

■ -- Jack Lewin, MD, Administrator, SHPDA



STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of HB1550 HD2
RELATING TO HEALTH**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: March 20, 2026 @ 1:00 pm

Room Number: 225

- 1 **Fiscal Implications:** None
- 2 **Department Position:** The Department of Health SUPPORTS this measure and offers comments.
- 3 **Department Testimony:** The Communicable Disease and Public Health Nursing Division
- 4 (CDPHND) provides the following testimony on behalf of the Department.
- 5 People who use drugs purchased outside of pharmacies are at risk of harm from contaminants,
- 6 including drugs that are more powerful than what they intend to consume. Consuming these
- 7 substances can lead to overdose, poisoning, and serious injury. Testing illicit drugs to
- 8 determining whether a controlled substance contains chemicals, toxic substances, or hazardous
- 9 compounds in quantities that can cause physical harm or death has been shown to reduce
- 10 overdose and drug-related harm. Research indicates that knowledge of what is in their drugs
- 11 often contributes to people changing their drug use to prevent overdose, injury, or poisoning.
- 12 The department supports removing barriers to drug checking by excluding drug testing
- 13 products from the definition of drug paraphernalia.
- 14 **Offered Amendments:** None
- 15 Thank you for the opportunity to testify on this measure.

HB-1550-HD-2

Submitted on: 3/17/2026 2:20:06 PM

Testimony for HHS on 3/20/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Aaron Ruddick	Individual	Support	Written Testimony Only

Comments:

I **support** HB 1550, HD 2, which excludes drug testing products from the definition of drug paraphernalia under the state's Uniform Controlled Substances Act. However, the bolder approach to this state's paraphernalia law in HB 1549 is preferable to another "carve out" of a law that has significant ongoing negative ramifications.

Paraphernalia laws needlessly criminalize equipment and supplies that support the provision of overdose prevention and harm reduction services. These laws also create risks to individual health, not only in terms of increasing the likelihood of viral transmission but also protracted engagement in the criminal legal system.

Still, the explicit exclusion of drug testing equipment from the current paraphernalia law represents an incremental yet positive change from existing law. The decriminalization of fentanyl test strips is not enough to meet current and emerging threats posed by the illicit drug market.

HB-1550-HD-2

Submitted on: 3/17/2026 2:40:55 PM

Testimony for HHS on 3/20/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
RUSSELL ABORDO	Individual	Support	Written Testimony Only

Comments:

I, R. Kelii Abordo, support HB 1550, HD 1, which excludes drug testing products from the definition of drug paraphernalia under the state's Uniform Controlled Substances Act.

HB-1550-HD-2

Submitted on: 3/17/2026 3:00:09 PM

Testimony for HHS on 3/20/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair San Buenaventura, Vice Chair McKelvey and HHS Committee members,

As a public health professional, I **support HB1550 HD2**, which excludes drug testing products from the definition of drug paraphernalia under the state’s Uniform Controlled Substances Act.

Please note that a more sensible approach to the state's paraphernalia law is HB1549 which is more effective and comprehensive in its impact.

Paraphernalia laws needlessly criminalize equipment and supplies that support the provision of overdose prevention and harm reduction services. These laws also create risks to individual health, not only in terms of increasing the likelihood of viral transmission but also protracted engagement in the criminal legal system.

Still, the explicit exclusion of drug testing equipment from the current paraphernalia law represents an incremental yet positive change from existing law. The decriminalization of fentanyl test strips is not enough to meet current and emerging threats posed by the illicit drug market.

Please pass HB1550 HD2.

Mahalo,

Thaddeus Pham

HB-1550-HD-2

Submitted on: 3/17/2026 3:38:29 PM

Testimony for HHS on 3/20/2026 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Zachary Fraser	Individual	Support	Written Testimony Only

Comments:

Dear Chair San Buenaventura, Vice Chair McKelvey and members of the committee,

Please vote YES on HB 1550. Drug Testing products are by definition, not paraphernalia, as they are not directly utilized in the consumption of substances. Therefore, they should legally be excluded from the category of paraphernalia.

Passing this house bill would increase legal access to Drug Testing products, which will ultimately make Hawai'i a safer place and reduce costs to the state for health care and law enforcement the criminal justice system.

Without this bill, people who use drugs, even recreationally or casually and are otherwise productive tax-paying citizens of Hawai'i, are at increased risk of death by overdose by fentanyl. Fentanyl is becoming increasingly common, and is being cut into a variety of substances from crystal methamphetamine (ice), to "party drugs" often used by young people and tourists. Increased access to drug-testing products will allow those individuals who choose to use drugs to make more informed choices about which substances they are using and how much. Ultimately, this will reduce risk of overdose, leading to fewer deaths, hospitalizations, and police interactions.

Mahalo for your quick action to address this concern, and for voting YES on HB 1550

Committee: Senate Committee on Health and Human Services
Hearing Date/Time: Friday, March 20, 2026, at 1:00 PM
Place: Conference Room 225 & Via Videoconference
Re: **Testimony of the ACLU of Hawai'i in SUPPORT of HB1550, HD2, Relating to Health**

Dear Chair San Buenaventura, Vice Chair McKelvey, and Members of the Committee:

The ACLU of Hawai'i ("ACLU-HI") **supports HB1550 HD2**, which would exempt additional drug testing tools from the definition of drug paraphernalia under the Uniform Controlled Substances Act.

The Hawai'i State Legislature wisely exempted fentanyl test strips from the definition of drug paraphernalia in Act 111 in 2023. This was an important harm reduction measure aimed at preventing overdose by fentanyl, which is the leading cause of overdose deaths in U.S. adolescents and youth adults.¹ Fentanyl test strips remain a critical tool in preventing overdose; however, these strips represent but one of multiple tools that can check the contents of illicit drug products. Other tools, such as portable spectrometry devices, have a growing evidence base in their efficacy to prevent overdose by providing people who use drugs with real-time analysis of the contents of substances.² Further exempting these drug checking tools from the definition of drug paraphernalia removes a significant barrier to their use,³ thus increasing access and saving lives.

Mahalo for the opportunity to testify.

¹ Chen, Y., Seiters, H., Wang, Z., Bell, L. (2025) Trends in U.S. Adolescent and Young Adult Overdose Fatalities, 1999-2023. *Journal of Adolescent Health*, 77(5), 997-1000, <https://doi.org/10.1016/j.jadohealth.2025.06.023>.
(<https://www.sciencedirect.com/science/article/pii/S1054139X25002745>)

² Aliyari, E., Brown, C., Van Boheemen, M., Wardlaw, L., Storm, T., Hopkins, A. M., Ezepue, S., Dewar, D., Sotke, L., McNab, K., Watkins, J., Pham, A. T., Oudshoorn, A., & Lagugné-Labarthe, F. (2026). Street drug monitoring with networked spectrometers powered by machine learning: a pilot study in Ontario, Canada. *Harm reduction journal*, 23(1), 45. <https://doi.org/10.1186/s12954-026-01403-3>

³ Carroll, J.J., Mackin, S., Schmidt, C. *et al.* (2022) The Bronze Age of drug checking: barriers and facilitators to implementing advanced drug checking amidst police violence and COVID-19. *Harm Reduction Journal*, 19(9). <https://doi.org/10.1186/s12954-022-00590-z>

Sincerely,



Mandy Fernandes
Policy Director
ACLU of Hawai'i

With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving our communities in Hawai'i for over 60 years.



LATE

Dedicated to safe, responsible, humane, and effective drug policies since 1993

TESTIMONY IN SUPPORT OF HB 1550, HD 2

TO: Chair San Buenaventura, Vice Chair McKelvey, and HHS Committee

FROM: Nikos Leverenz, DPFH Board President

DATE: March 20, 2026 (1:00 P.M.)

Drug Policy Forum of Hawai'i (DPFH) **supports** HB 1550, HD 2, which excludes drug testing products from the definition of drug paraphernalia under the state's Uniform Controlled Substances Act. However, the bolder approach to this state's paraphernalia law in HB 1549 is preferable to another "carve out" of a law that has significant ongoing negative ramifications.

Paraphernalia laws needlessly criminalize equipment and supplies that support the provision of overdose prevention and harm reduction services. These laws also create risks to individual health, not only in terms of increasing the likelihood of viral transmission but also protracted engagement in the criminal legal system.

Still, the explicit exclusion of drug testing equipment from the current paraphernalia law represents an incremental yet positive change from existing law. The decriminalization of fentanyl test strips is not enough to meet current and emerging threats posed by the illicit drug market.

Since 1993 DPFH has advanced public discussions and policy changes around Hawai'i's drug polices, which continue to advance severe criminal penalties and extended periods of criminal legal supervision. DPFH also supports policy changes around substance use and behavioral health issues that are anchored in harm reduction, public health, and human rights.

Mahalo for the opportunity to provide testimony.