

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2192
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 2192, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

beg leave to report as follows:

The purpose of this bill is to make processing controlled
substance prescriptions more efficient while ensuring continued
protection of the public by, among other things:

- (1) Adding definitions to Chapter 329, Hawaii Revised
Statutes, the Uniform Controlled Substances Act, to
conform to changes in federal law;
- (2) Accommodating the use of automation and new technology
in provisions governing the transfer, transmission, and
record keeping of prescriptions for controlled
substances;
- (3) Setting out specific procedures and requirements for
transferring, transmitting, dispensing, and keeping
records of controlled substance prescriptions;
- (4) Allowing central fill pharmacies to prepare Schedule
III-IV medications and allowing limited information
sharing between pharmacies for this purpose;



- (5) Extending from 72 hours to seven days the time within which a practitioner must deliver a schedule II prescription to the pharmacy after placing an emergency oral prescription with the pharmacy;
- (6) Requiring a schedule II controlled substance prescription to be filled within three days of issuance, and to only be supplied to the patient if the pharmacy has filled and held the prescription for no more than seven days;
- (7) Allowing investigative controlled substance prescription information to be provided to state authorized governmental prescription monitoring programs; and
- (8) Prohibiting the obtaining of controlled substances by the unauthorized use of a physician's oral call-in number or the alteration of a prescription by adding future refills.

The Department of Public Safety, Hawaii Pharmacists Association, Kaiser Permanent, and Longs Drugs testified in support of this bill.

Your Committees have amended this bill as recommended by the Department of Public Safety by:

- (1) Redefining "prescription" to mean an order for medication, dispensed to or for an ultimate user, and not an order for medication dispensed for immediate administration to the ultimate user, such as a chart order to dispense a drug of immediate administration to a hospital bed patient;
- (2) Changing the effective date to July 1, 2050 to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2192, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 2192, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Consumer
Protection & Commerce and
Judiciary,



SYLVIA LUKE, Chair



ROBERT N. HERKES, Chair



