

Honolulu, Hawaii

Feb 6, 2008

RE: H.B. No. 2445
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2445
entitled:

"A BILL FOR AN ACT RELATING TO ADVERTISING BY MANUFACTURERS
OF PRESCRIPTION DRUGS AND DISCLOSURE OF CLINICAL TRIALS,"

begs leave to report as follows:

The purpose of this bill is to increase transparency in
pharmaceutical research and development and providing consumers
with greater awareness of the products they take by:

- (1) Requiring prescription drug ads to meet federal standards;
- (2) Mandating public disclosure of clinical trial information;
- (3) Directing drug manufacturers to pay fees to the Department of Health (DOH) to fund a public education initiative on clinical trials and drug safety; and
- (4) Establishing the Prescription Drug Advertising Special Fund to collect funds which will be expended by DOH carryout the requirements of this bill.



The Hawaii Alliance for Retired Americans and ILWU supported this bill. DOH, Department of Commerce and Consumer Affairs, and Pharmaceutical Research and Manufacturers of America opposed this measure. The Department of Budget and Finance submitted comments.

Your Committee has amended this bill by:

- (1) Setting the drug manufactures annual fee at \$100; and
- (2) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2445, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JOSHUA B. GREEN, M.D., Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 190.08

Record of Votes of the Committee on Health

| Bill/Resolution No.: HB 2445 | Committee Referral: HLT, CPC/JUD, FIN | Date: 2-1-08 | | |
|--|---|------------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| HLT Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. GREEN, Josh, M.D. (C) | ✓ | | | |
| 2. MIZUNO, John (VC) | ✓ | | | |
| 3. AWANA, Karen Leinani | ✓ | | | |
| 4. BELATTI, Della Au | | | | ✓ |
| 5. BERTRAM, Joe, III | ✓ | | | |
| 6. CABANILLA, Rida T.R. | ✓ | | | |
| 7. RHOADS, Karl | ✓ | | | |
| 8. SHIMABUKURO, Maile S. L. | ✓ | | | |
| 9. TOKIOKA, James Kunane | ✓ | | | |
| 10. WARD, Gene, Ph.D. | | | | ✓ |
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| TOTAL (10) | 8 | | | 2 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small> | | | | |
| Vice Chair's or designee's signature: | | | | |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office | | | | |