

STAND. COM. REP. NO. 1583-08

Honolulu, Hawaii

Aj-1, 2008

RE: S.B. No. 2459
S.D. 2
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 S.B. No. 2459, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO REMOTE DISPENSING,"

begs leave to report as follows:

The purpose of this bill is to improve access to medications and pharmacy services by authorizing the operation of remote dispensing pharmacies to dispense prescription medications.

The State Health Planning and Development Agency's Kauai County Subarea Health Planning Council, Kaiser Permanente, Waianae Coast Comprehensive Health Center, Ho'ola Lahui Hawaii, Hawaii Pharmacists Association, and several concerned individuals supported this bill. The Board of Pharmacy supported this measure with amendments. Numerous concerned individuals opposed this bill. The Hawaii Medical Service Association submitted comments.

Your Committee notes that the definition of "remote dispensing technician" contained in this bill should receive further scrutiny as it currently sets no minimum training requirements. Assurances need to be made to provide for safe handling of patient concerns and questions at a remote dispensing pharmacy (RDP).

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Your Committee finds that the State needs to resolve the dual problem of access to prescription drugs and pharmacists for low-income populations. However, in some low-income areas there may be sufficient access to a pharmacy and the presence of a RDP in the same proximity to a private pharmacy may create an adverse economic impact on the private pharmacy.

Accordingly, your Committee has amended this bill by:

- (1) Limiting access to a RDP to uninsured patients; and
- (2) Allowing patients with QUEST coverage access to a RDP if there is no private pharmacy within five miles of the RDP.

While limiting the use of RDPs to uninsured patients and setting distance requirements for QUEST patients may address some of the concerns of private pharmacies regarding unfair competition from RDPs, your Committee continues to be concerned about after-hours access to a private pharmacy that may pose a barrier to a patient with drug coverage receiving medication in a timely manner. This matter should be discussed further as this bill progresses through the legislative process.

Your Committee has further amended this bill by:

- (1) Requiring RDPs to report and notify the Board of Pharmacy of where the RDPs are to be located and the operating procedures to be used by the RDPs; 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 S.B. No. 2459, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2459, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.



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

Josh Green M.D.

JOSHUA B. GREEN, M.D., Chair



