

Honolulu, Hawaii

AJP 1, 2008

RE: S.B. No. 2882
S.D. 1
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 Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 2882, S.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 facilitate the provision of
prescription medications by authorizing out-of-state mail order
pharmacies to use payor-provided identification numbers in
dispensing controlled substances.

AlohaCare, Hawaii Medical Service Association, Express
Scripts, Inc., Medco Health Solutions, and WellPoint, Inc.,
testified in support of this bill. The Department of Public
Safety and Longs Drug Stores opposed this measure.

Hawaii law requires the use of a patient's government-issued
identification number for the dispensing of prescribed controlled
substances. This bill would allow out-of-state mail order
pharmacies to instead use unique patient identifiers issued by
payers, insurers, or pharmacy benefit managers when dispensing
controlled substances.

However, there are concerns regarding the reliability of
these patient identifiers for law enforcement purposes and the
uncertain effects this bill may have on Hawaii-based mail order
facilities that dispense prescription drugs.

SB2882 HD1 HSCR CPC-JUD HMS 2008-3354



Accordingly, your Committees have amended this bill by changing its effective date to January 1, 2050, to encourage further discussion.

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 S.B. No. 2882, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2882, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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



TOMMY WATER, Chair



ROBERT N. HERKES, Chair



