

STAND. COM. REP. NO. **2464**

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2459  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 2459  
entitled:

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

begs leave to report as follows:

The purpose of this measure is to help meet the  
pharmaceutical needs of patients in the State by authorizing the  
use of remote dispensing pharmacies that are continuously  
supervised by an on-site pharmacist.

Your Committee received testimony in support of this measure  
from the Hawaii Pharmacists Association. Your Committee received  
testimony in opposition to this measure from Ho'ola Lahui Hawaii.  
The Board of Pharmacy submitted comments.

Your Committee finds that the use of remote dispensing  
pharmacies supported by modern telecommunication technologies  
offers an innovative and efficient method of providing residents  
of rural areas of the State with the prescription medications they  
need. Your Committee further finds that requiring on-site  
pharmacist supervision is too restrictive, particularly for  
federally qualified health centers that are located in rural  
areas, and has caused the unintended effect of ceasing the  
operations of some remote dispensing pharmacies.

Your Committee has amended this measure by removing its  
language and replacing it with language that:

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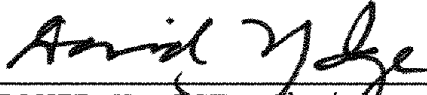


- (1) Authorizes remote pharmacies in any county with less than 100,000 residents and outside of a ten mile radius of an existing pharmacy for counties with greater than one hundred residents;
- (2) Provides that a remote dispensing pharmacy will be under the direct supervision of a registered pharmacist;
- (3) Ensures a secure physical set-up connected remotely to a responsible pharmacy that enables consumers to consult privately with a pharmacist;
- (4) Stipulates that a pharmacist be in control of the facility's operation and approve prescriptions before they are dispensed;
- (5) Prohibits the dispensing of controlled substances from remote dispensing pharmacies;
- (6) Provides that records are kept of prescriptions filled at a remote dispensing pharmacy;
- (7) Exempts physicians from the stipulations of this measure;
- (8) Requires the Department of Commerce and Consumer Affairs to submit an annual report to the Legislature on the use of remote dispensing pharmacies and their financial impact on near-by pharmacies; and
- (9) Repeals the measure on January 1, 2013.

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, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2459, S.D. 1, and be referred to the Committee on Commerce, Consumer Protection, and Affordable Housing.




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

  
\_\_\_\_\_  
DAVID Y. IGE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* <i>SB 2459</i>	Committee Referral: <i>HTH, CPH</i>	Date: <i>02-13-08</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
FUKUNAGA, Carol (VC)	✓			
BAKER, Rosalyn H.	✓			
MENOR, Ron	✓			
WHALEN, Paul				✓
<b>TOTAL</b>	<i>4</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes