

STAND. COM. REP. NO.

1012

Honolulu, Hawaii

MAR 02 2007

RE: S.B. No. 257  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 257 entitled:

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

begs leave to report as follows:

The purpose of this measure is to preclude controlled  
substances from being sold on the streets by preventing the  
improper prescribing and dispensing of pharmaceuticals in the  
State.

Your Committee received testimony in support of this measure  
from the Department of Public Safety, Longs Drugs, Board of  
Pharmacy and Kaiser Permanente.

Your Committee finds that pharmaceutical controlled  
substances are being fraudulently prescribed by practitioners  
through the Internet, telephone, and mail without a proper medical  
reason or examination.

Your Committee intends to accomplish the purpose of this  
measure by:

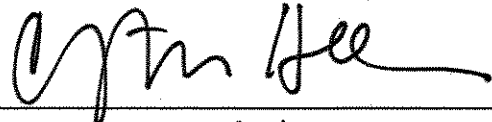
- (1) Enabling the Department of Public Safety to bring an  
administrative action against a controlled substance  
registrant for violations of Chapter 329, Hawaii Revised  
Statutes;



- (2) Adding the definition of "bona fide practitioner-patient relationship" to establish minimum guidelines that must be met prior the administering, prescribing, or dispensing of controlled substances;
- (3) Clarifying the requirements for oral prescriptions issued to a pharmacy and record keeping requirements for all controlled substances;
- (4) Clarifying that it is a violation of state law to pre-sign blank prescriptions to facilitate the fraudulent obtaining of controlled substances;
- (4) Clarifying that it is a violation of state law to facilitate the issuance or distribution of a written or oral prescriptions when the practitioner is not physically in the State; and
- (5) Enabling the Department of Public Safety to conduct administrative inspections of pharmacies and deleting the requirement for administrative inspection warrants.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 257, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 257, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,

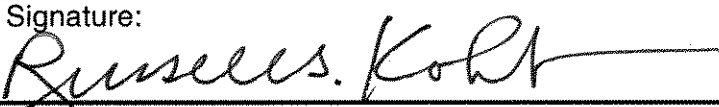


CLAYTON HEE, Chair



The Senate  
 Twenty-Fourth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 257</b>	Committee Referral: <b>HTH, JDL</b>	Date: <b>3/2/07</b>		
<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
HEE, Clayton (C)	/			
KOKUBUN, Russell S. (VC)	/			
INOUYE, Lorraine R.				/
NISHIHARA, Clarence K.	/			
GABBARD, Mike	/			
<b>TOTAL</b>	<b>4</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original     Yellow     Pink File with Committee Report     Clerk's Office     Drafting Agency				

\*Only one measure per Record of Votes