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From: David Peters [dpkauai@hoolalahui.org]
Sent: Friday, February 08, 2008 4:13 PM
To: CPCtestimony
Subject: Testimony

Date: February 11, 2008

To: HOUSE COMMITTEE ON CONSUMER PROTECTION
Rep. Robert N. Herkes, Chair
Rep. Angus L.K. McKelvey, Vice Chair

From: David Peters
Chief Executive Officer
Ho`ola Lahui Hawai`i

Testimony in Support
HB 2001, HD1 Relating to Telepharmacy
Monday February 11, 2008, 2:05pm Conference Room 325

We strongly **SUPPORT** this bill which will restore telepharmacy services at Ho`ola Lahui Hawai`i, a federally qualified health center and a Native Hawaiian Health Care System. This critical service provides acute medications to patients directly at each of the two clinic sites operated by HLH. This is especially important for uninsured patients who would not otherwise obtain the drugs they need to improve their immediate health. HLH provides these medications at a reduced cost to those who otherwise would not be able to afford these medications. The technology allows HLH to reduce costs further by having a central pharmacy location dispense using the machines to dispense acute medications at each clinic.

The telepharmacy service that Ho`ola Lahui Hawai`i started in October 2005 was stopped in April of 2007 due to a clarification made by the Hawaii Board of Pharmacy. The clarification stated that a pharmacist must be onsite to dispense medications from the machines negating the need for the technology, increasing the costs to dispense the necessary medications, and decreasing the patient's access to the medications.

This bill is necessary for Ho`ola Lahui Hawai`i to resume this needed service in our health centers.

Thank you for the opportunity to testify in strong support of this bill.

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2/11/2008

Testimony of
Phyllis Dendle
Director of Government Affairs

Before:
House Committee on Consumer Protection and Commerce
The Honorable Robert N. Herkes, Chair
The Honorable Angus L.K. McKelvey, Vice Chair

February 11, 2008
2:05 pm
Conference Room 325

HB 2001 HD1 RELATING TO TELEPHARMACY

Chair Herkes and committee members, thank you for this opportunity to provide testimony on HB 2001 HD1 permitting the remote dispensing of pharmaceuticals.

Kaiser Permanente Hawaii supports the intent of this bill.

We support legislating remote dispensing for the same reasons described in this bill. We think we will see improved compliance with drug therapy if patients have immediate access to their prescriptions and this will offer access to medication in places where a pharmacist is unavailable onsite.

However, we think that the benefits of remote dispensing should be available throughout the state and not just in smaller counties. Rural areas of Oahu would benefit from the use of remote dispensing. HB 2490 Relating to Remote Dispensing permits a wider range of participants and more specific details on the operation of remote dispensing.

We request consider passing HB2490 instead of this bill. Thank you for your consideration.

**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

TWENTY-FOURTH LEGISLATURE
Regular Session of 2008

Monday, February 11, 2008
2:05 p.m.

TESTIMONY ON HOUSE BILL NO. 2001, H.D. 1, RELATING TO TELEPHARMACY.

TO THE HONORABLE ROBERT N. HERKES, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Dr. Elwin Goo, Chairperson of the Board of Pharmacy ("Board") and I appreciate the opportunity to present testimony on behalf of the Board. Subject to amendments to House Bill No. 2001, H.D. 1, which the Board believes would benefit more residents of the State of Hawaii, the Board would support this bill.

The purpose of this bill is to authorize the use of remote dispensing technology by those pharmacies located in a county with less than 100,000 residents. It also appears the bill is still crafted to apply to one particular pharmacy on Kauai. Also the H.D. 1 incorporates a new Section 4 that requires the Department of Commerce and Consumer Affairs ("DCCA") to submit an annual report on the impacts of this bill.

First, the Board is not in support of a law that has a limited scope of application. The Board supports the practice of remote dispensing and believes it is a technology that should be afforded to all pharmacies. In turn, a broader segment of Hawaii residents can be afforded easier access to meet their healthcare needs. The Board strongly requests that the following language be **deleted** from Section 2 under the new proposed Section "(a)", which states, "A remote dispensing pharmacy shall not be operated in any county with a population greater than one hundred thousand residents."

House Bill No. 2001, H.D. 1 also includes requirements and criteria that were not in the original bill, relating to the use of remote dispensing technology. The Board, however, supports

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such requirements and criteria as they are geared towards optimum access for and protection of consumers.

Last, the Board has concerns with Section 4, also not in the original bill, which requires the DCCA to submit a report for five consecutive years to the legislature regarding the use of the remote dispensing machines and their financial impact, if any, on local pharmacies within a ten mile radius. The Board believes the DCCA should not be the entity tasked with such follow up. The Board may appear to be a likely candidate, but the Board has no expertise or resources to conduct such a study. Also, the issues for the study are not licensing related, which is the Board's jurisdiction. Instead the issues are geographical and business related. If such a study were still to be required, an agency with such expertise and the resources to conduct such a study should be selected.

In closing, we ask that the bill be amended to remove the limitation to practice in a county based on population, and that Section 4 name an agency other than the DCCA or the Board. Thank you for the opportunity to testify on House Bill No. 2001, H.D. 1.

February 10, 2008

SUBMITTED BY: RICHARD BETTINI
CHIEF EXECUTIVE OFFICER
WAIANAE COAST COMPREHENSIVE HEALTH CENTER

TESTIMONY TO: REPRESENTATIVE ROBERT HERKES, CHAIR
COMMITTEE ON CONSUMER PROTECTION AND
COMMERCE

HEARING: FEBRUARY 11, 2008
2:05 PM
CONFERENCE ROOM 325

BILL NUMBER: HB 2001 HD 1

COPIES: 5

The Health Center **supports** HB 2001 **EXCEPT** for *limiting Remote Dispensing to any county with less than 100,000 residents* which means that only the County of Kauai would qualify.

Federally Qualified Health Centers in several remote areas on several islands, including the Waianae Coast Comprehensive Health Center on Oahu, already have Remote Dispensing equipment and systems ready to serve patients. We understand the needs of our communities, are prepared to meet the needs of our patients, and are responsible for addressing barriers that impact the health of our patients.

For the Waianae Coast Comprehensive Health Center, that provides over \$100,000 in free medicines to patients each year, remote dispensing is part of the answer to help get much needed medicines to the homeless and those with limited transportation options, the majority who are faced with multiple chronic conditions.

Limiting Remote Dispensing to a county with less than 100,000 residents is not acceptable.

We strongly ask that this limiting factor be removed from HB 2001 HD 1.

Thank you.

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Testimony of
Jerry Smead, RPh and Barbara Kashiwabara, RPh, Pharm.D.
Co-Chairs, Government Affairs Committee

Before:
House Committee on Consumer Protection & Commerce
The Honorable Robert N. Herkes, Chair
The Honorable Angus L.K. McKelvey, Vice Chair

February 11, 2008
2:05 pm
Conference Room 325

HB 2001, HD1 Relating to Telepharmacy

Chair Herkes, Vice Chair McKelvey and Committee members. Mahalo for this opportunity to provide testimony on HB 2001, HD1 which will permit the operation of remote dispensing pharmacies.

The Hawaii Pharmacists Association supports this bill, with amendments, to reflect the collaborative work done in 2007 by the Association, the Board of Pharmacy, the Department of Health Food & Drug Branch, the Narcotics Enforcement Division, as well as various pharmacies and health care organizations.

Enabling remote dispensing pharmacies via passage of this bill will help meet the pharmaceutical needs of patients in various settings and for various health care conditions using innovative and secure technology. In November 2007, the Hawaii Pharmacists Association, in partnership with Representative Herkes, sponsored a Remote Dispensing demonstration day at the State Capitol to familiarize the Legislators with this technology and to answer any questions and/or concerns related to use of this technology. The demonstration was well attended and information shared that day is still available from the Hawaii Pharmacists Association, upon request.

Remote dispensing technology can be used in areas within the state where there is no licensed pharmacy, or when access to a licensed pharmacy is limited, or at times of the day or week where pharmacist availability is limited due to the national shortage of pharmacists, such as on "graveyard" shifts, evenings, weekends, or holidays.

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The Hawaii Pharmacists Association recommends the following amendments:

1. Delete "(a) A remote dispensing pharmacy shall not be operated in any county with a population greater than one hundred thousand residents." The benefits of remote dispensing should be available throughout the state and for various situations as stated above, and not only in less-populated areas in the state.
2. Delete SECTION 4 and the requirement for the Department of Commerce and Consumer Affairs to submit an annual report, if there are no restrictions to where this technology can be used.
3. Remove the January 1, 2013 sunset date. It is expected that remote dispensing technology will continue to improve and there should be no limitations to continued use of this technology to ensure access to pharmaceuticals.

We ask for your favorable consideration of these amendments to this bill, recommend passage of this bill with amendments, and thank you for this opportunity to testify on HB 2001, HD1.

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HMSA



Blue Cross
Blue Shield
of Hawaii

An Independent Licensee of the Blue Cross and Blue Shield Association

February 11, 2008

The Honorable Robert N. Herkes, Chair
The Honorable Angus L.K. McKelvey, Vice Chair

House Committee on Consumer Protection and Commerce

Re: HB 2001 HD1 – Relating to Telepharmacy

Dear Chair Herkes, Vice Chair McKelvey and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 2001 HD1 which would permit the operation of remote dispensing pharmacies. HMSA supports this measure.

This measure would give individuals in rural areas of the state the ability to gain access to their prescription medications in their own community. Through the use of state-of-the-art telecommunications technology, pharmacists are able to dispense medications to patients at a distance. Telepharmacy will help expand access to quality health care to primarily rural and medically underserved areas.

Thank you for the opportunity to testify on HB 2001 HD1.

Sincerely,

Jennifer Diesman
Director, Government Relations

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