

LINDA LINGLE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**CLAYTON A. FRANK**  
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**DAVID F. FESTERLING**  
Deputy Director  
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**JAMES L. PROPOTNICK**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 3242  
A BILL FOR AN ACT RELATING TO  
HEALTH

Clayton A. Frank, Director  
Department of Public Safety

House Committee on Health  
Representative Josh Green, Chair  
Representative John Mizuno, Vice Chair

Wednesday, February 6, 2008, 8:00 a.m.  
State Capitol, Room 329

Representative Green and Members of the Committee:

The Department of Public Safety supports House Bill 3242 in regards to Section 3 that proposes to extend the time limit in which a schedule II controlled substance prescription must be filled. Presently all Schedule II controlled substance prescriptions are valid for only 3 days. House Bill 3242 proposes to extend that to 7 days to assist these patients that may have difficulties in getting to the pharmacy within the three-day time limit, such as the elderly or the infirmed. The Department supports this measure that will assist patients in obtaining their prescribed medications.

Thank you for the opportunity to testify on this matter.

000154

**A JOINT LEGISLATIVE EFFORT**

E-Mail to: [HLTtestimony@Capitol.hawaii.gov](mailto:HLTtestimony@Capitol.hawaii.gov)  
Regarding: Committee on Health  
Hearing on: February 4, 2008 @ 9:30 a.m. in room 329

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**Date:** January 31, 2008

**To:** House Committee on Health  
The Honorable Josh Green, Chair  
The Honorable John Mizuno, Vice Chair

**From:** Kelly M. Rosati, JD  
Executive Director, Hawaii Family Forum  
Lobbyist, Roman Catholic Church in the State of Hawaii

**Re:** **Support for HB 3242 Relating to Health**

Honorable Chair and members of the House Health Committee, I am Kelly Rosati, representing both the Hawaii Family Forum and the Roman Catholic Church in the State of Hawaii. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in Hawaii, which under the leadership of Bishop Larry Silva, represents over 230,000 Catholics in Hawaii.

I am writing in support of HB 3242, which will improve care for people living with pain in Hawai'i. In 1999 HFF, along with the Hawaii Medical Association, founded Hawaii's Partnership for Appropriate and Compassionate Care, a coalition of medical, disability rights and faith-based groups committed to improved end of life care and to stopping legalized physician assisted suicide and death.

We strongly believe that improved end-of-life care, including improved pain management and palliative care, is essential to effective health care delivery for all Hawaii residents.

This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact me for more information. Mahalo for the opportunity to testify.



# Kaua'i Hospice

*a special kind of caring*

February 1, 2008

To: Chair Josh Green, MD - House Committee on Health  
Vice Chair John Mizuno - House Committee on Health

From: Lori J. Miller, Executive Director  
Kaua'i Hospice, Inc.  
(808) 245-7277  
lmiller@kauaihospice.org

Date & Time of Hearing: 1:30 PM, Monday, February 4, 2008  
State Capitol, Room 329

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

My name is Lori J. Miller, and I am writing in support of HB3242, which will improve care for people living with pain in Hawai'i. As the Executive Director of Kaua'i Hospice, the only hospice on the Garden Island, I am keenly aware of the importance of this bill as it relates to individuals facing end-of-life issues. I believe being comfortable and managing pain is of utmost importance to all of us who will someday find ourselves facing the end of our life.

I strongly support passage of this bill because it is the right thing to do to improve the quality of life for Hawaii residents. Additionally, this legislation does not cost anything to implement. This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. I value your support of palliative and hospice care issues and your serious consideration of this bill.

Thank you for the opportunity to submit this testimony. Please do not hesitate to contact me for more information.

Most sincerely,

*Lori J. Miller*

Lori J. Miller  
Executive Director

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February 4, 2008

The Honorable Josh Green, Chair  
The Honorable John Mizuno, Vice Chair

House Committee on Health  
8:30 AM, Monday, February 4<sup>th</sup>  
State Capitol, Room 329

**RE: HB3242- Relating to Health**

Dear Chair Green and Members of the Committee:

My name is Leinaala Ley and I am the Director of Government Relations for the American Cancer Society Hawaii Pacific Inc. Thank you for the opportunity to testify in support of HB3242, Relating to Health.

The American Cancer Society Hawaii Pacific Inc. advocates for policies that will reduce the incidence and burden of cancer in Hawaii and improve the quality of life for people living with this disease. Because pain is one of the most common symptoms associated with cancer, pain management is an essential part of patient quality of life.

In Hawaii, approximately 5,000 people are diagnosed with cancer each year. Pain affects an estimated:

- 30% of patients newly diagnosed with cancer
- 30%-50% of patients undergoing treatment
- 70%-90% of patients with advanced disease

Fortunately, nearly all cancer pain can be relieved. The Hawaii State legislature can help ensure that pain medications are available to patients who need them by passing HB 3242. HB 3242 will extend the length of time a prescription for Schedule II drugs is available from three to seven days, providing caregivers and patients who are already overwhelmed by the challenges of cancer treatment and care additional opportunities to fill a prescription.

HB 3242 also clarifies language to distinguish the physical effect that the use of prescription pain management medications have on the patient from drug addiction which is important for the continued availability of prescription pain management medications to cancer patients suffering from pain.

As you know, uncontrolled pain can devastate quality of life for patients, survivors, and their loved ones. It can affect all aspects of daily functioning- sleep, work, and relationships. We ask that you pass this bill to improve pain management for cancer patients and other Hawaii residents living with chronic pain.

Thank you for your consideration.

Sincerely,

Leinaala Ley

American Cancer Society Hawai'i Pacific, Inc.  
2370 Nu'uuanu Avenue, Honolulu, Hawai'i 96817-1714

•Phone: (808) 595-7500 •Fax: (808) 595-7502 •24-Hour Cancer Info: (800) 227-2345 •<http://www.cancer.org>

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**KŌKUA MAU**

*"Continuous Care"*

Hawai'i Hospice and Palliative Care Organization

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P.O. Box 62155 • Honolulu, HI 96839 • Tel: 808-585-9977 • Fax: 808-988-3877 • www.kokuamau.org

To: Chair Josh Green, MD  
Vice Chair John Mizuno  
House Committee on Health

From: Rachael S. Wong, MPH  
Executive Director

Date & Time of Hearing: 8:00 AM, Wednesday, February 6, 2008  
State Capitol, Room 329

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

Kōkua Mau, our statewide hospice and palliative care organization, strongly supports HB3242, which will improve care for people living with pain in Hawai'i. The passage of this bill is important because it will improve quality of life for individuals and families in Hawai'i affected by pain.

It is vital to recognize the importance of quality pain management for those living with chronic, serious illness or at the end of life. The Wisconsin Pain & Policy Studies Group's 2007 *Achieving Balance in Federal and State Pain Policy* states: "[u]nrelieved pain is considered a serious public health problem" and "a gap continues to exist between the possibility and the reality of adequate pain management".

HB3242 addresses the provisions in current Hawai'i law that impede pain management, and it will elevate our state's pain policies to national best practice standards. Just as our community's capacity to provide quality pain management grows, policy improvements are necessary to ensure access to this care. The Kōkua Mau Advisory Board—which includes 11 physicians who practice pain management, palliative and geriatric medicine, all eight of the hospice directors in the state, and six nurses who specialize in oncology, pain management and palliative care—fully support this measure.

This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact me for more information.

Sincerely,

Executive Director

000158

To: Chair Josh Green, MD  
Vice Chair John Mizuno  
House Committee on Health

From: Brenda S. Ho, RN MS  
Executive Director  
Hospice of Hilo  
(808) 969-1733

Date & Time of Hearing: 8:00 AM, Wednesday, February 6, 2008

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

My name is Brenda Ho, and I am writing in support of HB3242, which will improve care for people living with pain in Hawai'i. On behalf of the citizens of Hawaii, and our Hawai'i Island hospice program which provides care daily to those faced by the challenges of terminal illness from Laupahoehoe to South Point, I am writing to ask for your support of this critical piece of legislation.

Serving as the Executive Director of Hospice of Hilo since 1990 and as Governor Lingle's representative to the last White House Conference on Aging, I have seen firsthand the importance of providing access to quality health care in our state and nation. As Hawaii's population continues to grow, our ability to respond to the needs of the aging and the terminally ill is crucial.

HB3242 offers vital support for the collaborative work already achieved throughout Hawai'i by further developing our palliative - pain management - care capacity. This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact me for more information.

Aloha,



Brenda S. Ho, RN MS  
Executive Director  
Hospice of Hilo

000159

To: Chair Josh Green, MD  
Vice Chair John Mizuno  
House Committee on Health

From: Daniel Murai, M.D.  
Director, Pediatrics Residency Program  
Hawaii Residency Program/ JABSOM  
Kapiolani Medical Center for Women and Children  
808 983-8387

Date & Time of Hearing: 8:00 AM, Wednesday, February 6, 2008

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

My name is Daniel Murai, and I am writing in support of HB3242, which will improve care for people living with pain in Hawai'i. I am currently involved with teaching Pediatric residents at Kapiolani Hospital. I am also a Neonatologist. I have seen many infants grow with developmental and physical disabilities in my practice. I have also seen them with the discomfort and pain that accompanies their diseases and complications of chronic care in the hospital and while at home. We have learned to determine the degree of distress of non speaking children using standardized tools. It is now important to provide the treatments to relieve their distress.

This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact me for more information.

Sincerely yours,

Daniel T. Murai, M.D.  
Program Director, Pediatrics Residency  
JABSOM/HRP University of Hawaii

000160

To: Chair Josh Green, MD  
Vice Chair John Mizuno  
House Committee on Health

From: Joan E. Foley BSN  
Spark Matsunaga Veterans Clinic  
(808) 433-7676

Date & Time of Hearing: 8:00 AM, Wednesday, February 6, 2008  
State Capitol, Room 329

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

My name is Joan Foley, and I am writing in support of HB3242, which will improve care for people living with pain in Hawai'i. As a nurse with an oncology background and now involved in hospice and palliative care, I recognize pain management as a major quality of life issue.

I strongly support passage of this bill because every person deserves all the pain management science has to offer. We must act to ensure availability, not restriction.

This legislation will remove barriers to the provision of quality pain management for those who need it and help to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact me for more information.

Sincerely,  
Joan E. Foley BSN

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Date & Time of Hearing: **HLT 8:00 AM, Wednesday, February 6, 2008, Room 329**

**Testimony in support of HB 3242**  
**Controlled Substances Act; Pain Patient's Bill of Rights**

Submitted by: Mark Robinson, M.D., Anesthesia  
Sarah Robinson,  
LVN oncology, pharmacy technician, hospice volunteer  
808-638-9112

We are writing in support of HB3242, which will improve care for people living with pain and their caregivers. As a pain management consultant and a hospice volunteer we have seen the adverse effects of inadequate pain control. We have also seen how crazy life can be when managing care for someone who is in a lot of pain; whether the pain is from an intractable disease or from an accident, families often need longer than 3 days in which to manage filling a prescription.

We strongly support passage of this bill because we have personally experienced the chaos of caring for a family member in acute pain due to a terminal illness. It's hard to describe the sense of despair you feel when you pull into a pharmacy parking lot and see a closed sign. This despair is followed by rushing to another location in order to beat the clock before the prescription expires. It is also heart-breaking to hand back an unfilled prescription to an over-wrought caregiver and try to explain to them you cannot fill the prescription because it was written 73 hours ago.

This legislation will remove barriers to the provision of quality pain management for those who need it and ease some tension for their caregivers. It also helps to ensure best practice standards in the state. We value your support of palliative and hospice care issues and your serious consideration of this bill.

Please do not hesitate to contact either of us for more information.

Sarah and Mark Robinson

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