

STAND. COM. REP. NO. 1228

Honolulu, Hawaii

March 27, 2009

RE: S.B. No. 967
S.D. 2
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred S.B. No. 967, S.D. 2, H.D. 1,
entitled:

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

beg leave to report as follows:

The purpose of this measure is to amend Hawaii's controlled
substance laws to make them consistent with federal law.

More specifically, this measure:

- (1) Adds new drugs to Hawaii's controlled substance laws to
conform to changes made in the federal law;
- (2) Includes consideration of a registrant's surrender of a
federal controlled substance registration in determining
whether the registrant's state registration should be
suspended or revoked;
- (3) Authorizes and establishes procedures for pharmacies
that electronically share a real-time, online database
to transfer controlled substance prescriptions between
their pharmacies;



- (4) Specifies what information practitioners and pharmacists who dispense controlled substances are required to record in their log books; and
- (5) Authorizes administrative inspections of the premises and records, other than financial data, for establishments such as pharmacies that are authorized to dispense controlled substances.

The Department of Public Safety, the Police Department of the City and County of Honolulu, CVS Caremark Longs Drugs, and Kaiser Permanente testified in support of the measure. Walgreens Co. testified in support of the intent of the measure.

Your Committee has amended this measure by:

- (1) Requiring that pharmacists and practitioners who dispense controlled substances directly to an individual document the identification of an unknown individual in either a written log book or an electronic database and permitting acceptance of either a written signature or a signature recorded by an electronic capture device; and
- (2) Providing that the initial registration information in a mail order prescription drug plan will satisfy identification requirements for the purpose of dispensing controlled substances pursuant to valid mail order prescriptions.

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. 967, S.D. 2, H.D. 1, as amended herein, and recommend that it be referred to the Committee on Finance, in the form attached hereto as S.B. No. 967, S.D. 2, H.D. 2.



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



JON RIKI KARAMATSU, Chair



ROBERT N. HERKES, Chair



