

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 2312

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2312, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NATUROPATHIC MEDICINE,"

begs leave to report as follows:

The purpose of this bill is to ensure safe health care practices by:

- (1) Repealing provisions authorizing naturopathic physicians to prescribe legend drugs; and
- (2) Establishing a Naturopathic Formulary Board to create a naturopathic formulary to be approved by the Board of Naturopathic Medicine.

The University of Hawaii, American Medical Association, Hawaii Medical Association, American Osteopathic Association, and many concerned individuals supported this bill. Numerous concerned individuals opposed this bill. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs (DCCA) and Board of Naturopathic Medicine commented on the measure.

Act 22, Special Session Laws of Hawaii 2009, gave practitioners of naturopathic medicine the ability to prescribe any "legend drugs," also known as prescription drugs, approved by the Board of Naturopathic Medicine. To ensure patient safety,



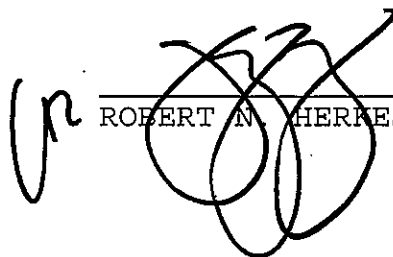
this bill removes legend drugs from the naturopathic formulary and establishes a Naturopathic Formulary Board composed of pharmacists, physicians, and naturopathic physicians, to establish a formulary aligned with the training and clinical experience of naturopathic practitioners.

Your Committee has amended this bill by:

- (1) Renaming the Naturopathic Formulary Board, the "Naturopathic Formulary Committee," (Committee) to avoid confusion with the Board of Naturopathic Medicine;
- (2) Adding a pharmacist member to the Committee to give the Committee seven members and avoid a deadlock in decision making;
- (3) Removing unnecessary provisions dictating the election of a chairperson and vice chairperson and requiring DCCA to establish rules to govern the Committee; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2312, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2312, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



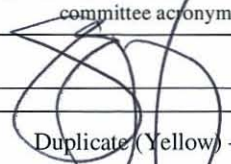
ROBERT N. HERPES, Chair



State of Hawaii
House of Representatives
The Twenty-fifth Legislature

HR 483-10

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2312 ,HD1	Committee Referral: HLT ,CPC	Date: 2/17/2010		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. WAKAI, Glenn (VC)	✓			
3. BELATTI, Della Au		✓		
4. CABANILLA, Rida				✓
5. CARROLL, Mele				✓
6. ITO, Ken	✓			
7. KARAMATSU, Jon Riki	✓			
8. LUKE, Sylvia	✓			
9. McKELVEY, Angus L.K.		✓		
10. MIZUNO, John M.	✓			
11. MORITA, Hermina M.			✓	
12. SOUKI, Joseph M.		✓		
13. TSUJI, Clift	✓			
14. MARUMOTO, Barbara C.	✓			
15. THIELEN, Cynthia	✓			
TOTAL (15)	9	3	1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				