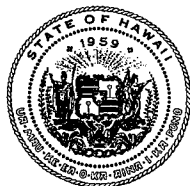


SB 2811

LINDA LINGLE
GOVERNOR OF HAWAII



CHIYOME LEINAALA FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

**Testimony of Chiyome Leinaala Fukino, M.D.
Director of Health**

9:15am

1 **Department's Position:** We respectfully oppose the bill's amendment of HRS Chapter 328.

2 **Fiscal Implications:** The administrative costs of enforcement are as yet unquantified but will be real.

3 **Purpose and Justification:** In part, this bill amends HRS Chapter 328 to require that prescription
4 records shall be maintained electronically.

5 We defer to the Department of Commerce and Consumer Affairs' Board of Pharmacy regarding
6 proposed change to HRS Chapter 461, which in part requires pharmacies to have the capacity to receive
7 and transmit electronic prescriptions. There is a difference between recordkeeping and sending and
8 receiving prescriptions.

9 Although we generally support the greater use of electronic records in health care, and while
10 some pharmacies may already have all or part of their records in an electronic form, the Department
11 believes mandating electronic recordkeeping will not by itself inherently increase public safety.
12 Prescription records are required to be preserved and legible for at least five years. Both a properly
13 maintained manual system and an electronic recordkeeping system can meet this requirement.

14 We acknowledge that an electronic recordkeeping system could provide information faster and
15 perhaps more efficiently; however smaller pharmacies without a current electronic recordkeeping

1 system would be financially burdened by having to purchase new software/hardware to meet the
2 proposed amendments. We do not believe public safety or the security of patient information would be
3 negatively impacted as long as a manual or electronic system meets the current requirements of HRS
4 Chapter 328, Section 328-17.7.

5 As a practical matter, if electronic recordkeeping systems become mandatory, specific database
6 formats would need to be selected to ensure compatibility between pharmacies and the physicians
7 submitting electronic prescriptions, and to ensure prescription records include prescription information
8 as well as information required by HRS Chapter 328, Section 328-17.7.

9 We acknowledge the effective date of July 1, 2050, in encouraging further discussion on this
10 measure. Adequate time should be given to allow pharmacies with manual record keeping systems to
11 switch to electronic record keeping, and also comply with the proposed change to be able to receive
12 electronic prescriptions under Chapter 461. The acquisition and implementation of a significant
13 computer system can take time, especially if good planning is used and if the user's system must interact
14 with other parties' systems.

15 We ask that the bill be held.

16 Thank you for the opportunity to testify.

**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE SENATE COMMITTEE ON
COMMERCE AND CONSUMER PROTECTION

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Friday, February 19, 2010
9:15 a.m.

WRITTEN COMMENTS ONLY

**TESTIMONY ON SENATE BILL NO. 2811, S.D. 1, RELATING TO
PHARMACIES.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Dr. Elwin Goo, Chair of the Board of Pharmacy ("Board") and I appreciate the opportunity to present written comments on behalf of the Board.

The Board opposes this bill that would mandate all pharmacies and remote dispensing pharmacies to maintain prescription records electronically and to be able to accept and transmit prescription information electronically or by facsimile in accordance with provisions of Chapter 328, Hawaii Revised Statutes ("HRS").

The Board was unclear on the purpose of the bill to **require** that all pharmacies and remote dispensing pharmacies maintain prescription records electronically and to have the capability to accept and transmit prescription information electronically or by facsimile in accordance with provisions of Chapter 328, HRS. Currently, the Board allows pharmacies to maintain both reference materials and prescription records electronically and most pharmacies have the

Testimony on Senate Bill No. 2811, S.D. 1
Friday, February 19, 2010
Page 2

minimum capability of accepting and/or transmitting prescription information by facsimile.

In addition, to **require** pharmacies to maintain prescription records electronically may impose a financial burden on some pharmacies that may not have the capability and would have to upgrade their current system.

Thank you for the opportunity to testify on Senate Bill No. 2811, S.D. 1.

HMSA



An Independent Licensee of the Blue Cross and Blue Shield Association

February 19, 2010

The Honorable Rosalyn Baker, Chair
The Honorable David Ige, Vice Chair

Senate Committee on Commerce and Consumer Protection

Re: SB 2811 SD1 – Relating to Pharmacies

Dear Chair Baker, Vice Chair Ige and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 2811 SD1 which would require all pharmacies, both brick and mortar and remote dispensing, to accommodate electronic prescriptions and maintain records electronically. HMSA supports the intent of this measure.

As you are aware, there is a lot of activity taking place locally in Hawaii in the realm of health information technology. The state will receive ARRA funding through the Hawaii Health Information Exchange in order to connect the entire health delivery system electronically. SB 2811 SD1 seemingly fits right in with the efforts being taken today.

We support the intent of SB 2811 SD1 to require pharmacies be able to accommodate electronic prescriptions and maintain electronic records. Thank you for the opportunity to testify today.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD', with a long horizontal flourish extending to the right.

Jennifer Diesman
Vice President
Government Relations