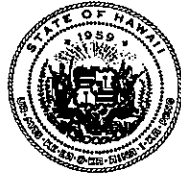


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

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

In reply, please refer to:
File:

House Committee on Consumer Protection and Commerce

HB 1966 HD1, Relating to Vaccinations

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

February 22, 2012, 2:00 p.m.

1 **Department's Position:** Strongly Support.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** The proposed legislation seeks to enact recommendations developed by the
4 Act 125(10) Task Force, which had been convened to research, assess, plan, and evaluate the potential
5 benefits and drawbacks of reducing the age restrictions that prevent children from receiving vaccines
6 from pharmacists; the most effective means to reduce such age restrictions; and whether educational or
7 certification requirements would be necessary or recommended to allow pharmacists to administer
8 vaccines to children. The Department supports these recommendations as they reflect the consensus
9 reached concerning these issues by Task Force members representing the fields of pharmacy, pediatrics,
10 and public health in the State of Hawaii.

11 Thank you for the opportunity to testify on this measure.

**PRESENTATION OF THE
BOARD OF PHARMACY**

**TO THE HOUSE COMMITTEE ON CONSUMER
PROTECTION AND COMMERCE**

**TWENTY-SIXTH LEGISLATURE
Regular Session of 2012**

**Wednesday, February 22, 2012
2:00 p.m.**

TESTIMONY ON HOUSE BILL NO. 1966, H.D.1, RELATING TO VACCINATIONS.

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

My name is Todd Inafuku, member of the Board of Pharmacy ("Board"), Chair of the Board's Laws and Rules Committee. I appreciate the opportunity to testify on House Bill No. 1966, H. D. 1, Relating to Vaccinations, which includes the recommendations of the Task Force ("Task Force") that was established pursuant to Act 125, SLH 2010, to make recommendations to the Legislature on the potential benefits and drawbacks of lowering the age restrictions for pharmacists to administer vaccines to children. This bill would allow a pharmacist to administer the influenza vaccine to persons between the ages of fourteen and seventeen pursuant to a valid prescription and comply with other reporting and training requirements.

The Board supports the intent of this bill with the following amendments:

1. Page 3, lines 12-17, refers to the approval of a training program required for pharmacists who administer the influenza vaccine to persons between the ages of fourteen and seventeen years. This section requires that the training program be approved by the Board, the Hawaii Pharmacists Association and the American Academy of Pediatrics, Hawaii Chapter, Inc. After further

consideration of the language recommended by the Task Force, the Board determined that it is unnecessary and onerous for the Hawaii Pharmacists Association and the American Academy of Pediatrics, Hawaii Chapter, Inc. to approve a training program for pharmacists. Under the definition of "Practice of pharmacy", language already exists that allow pharmacists to administer drugs, immunizations and emergency contraception by pharmacist who have received the appropriate training approved by the Accreditation Council of Pharmacy Education ("ACPE"). ACPE is the recognized national agency for the accreditation of professional degree programs in pharmacy and providers of continuing education. ACPE's Continuing Education Provider Program is designed to assure pharmacists of the quality of continuing education programs, thereby assisting in the advancement of the practice of pharmacy. Consequently, the Board respectfully requests that this section be amended as follows:

"(d) All pharmacists who administer the influenza vaccine to persons between the ages of fourteen and seventeen years shall complete a training program, [approved by the board, the Hawaii Pharmacists Association, and the American Academy of Pediatrics, Hawaii Chapter, Inc.] approved by the ACPE, for which a certificate of completion is issued."

2. Page 10, lines 7-11, refers to the retraining of a pharmacist who administers the influenza vaccine to persons between the ages of fourteen and seventeen years. The section requires that a pharmacist complete the training program,

previously mentioned, every two years. The Board determined that this requirement was also unnecessary and onerous for pharmacists and respectfully request the following amendment:

“(e) A pharmacist who administers the influenza vaccine to persons between the ages of fourteen and seventeen years shall complete a course described in section 461- (d) within [each of the biennial renewal periods] every other biennial renewal period and submit proof of successful completion of the course to the board.”

3. Page 12, lines 10-14, makes it a violation of the pharmacy practice act for a pharmacist to administer the influenza vaccine to a person between fourteen and seventeen years of age without complying with the reporting requirement of 461- (c) or the training requirement of 461- (d). The Board agrees that any pharmacist who wishes to administer the influenza vaccine to persons between the ages of fourteen and seventeen must meet all the requirements of 461- and therefore respectfully requests the following amendment:

“(11) Administering the influenza vaccine to a person between fourteen and seventeen years of age without complying with [the reporting requirement of this] section 461- [(c) or the training requirement of section 461- (d)].”

The Board appreciates the efforts of the Task Force; however, upon closer review of the bill’s proposed language, the Board believes that its recommended changes would increase access by minors to influenza vaccinations without jeopardizing patient safety. The recommended changes would make the training

Testimony on House Bill No. 1966, H.D.1
Wednesday, February 22, 2012
Page 4

requirements less burdensome for pharmacists by aligning the training requirements of this bill with current pharmacist training and continuing education requirements.

Thank you for the opportunity to testify on House Bill No. 1966, H.D.1.

GOODSILL ANDERSON QUINN & STIFEL

A LIMITED LIABILITY LAW PARTNERSHIP LLP

GOVERNMENT RELATIONS TEAM
GARY M. SLOVIN
MIHOKO E. ITO
CHRISTINE OGAWA KARAMATSU
ANNE T. HORIUCHI

ALI PLACE, SUITE 1800 • 1099 ALAKEA STREET
HONOLULU, HAWAII 96813

MAIL ADDRESS: P.O. BOX 3196
HONOLULU, HAWAII 96801

TELEPHONE (808) 547-5600 • FAX (808) 547-5880
info@goodsill.com • www.goodsill.com

INTERNET:
gslovin@goodsill.com
meito@goodsill.com
ckaramatsu@goodsill.com
ahoriuchi@goodsill.com

TO: Representative Robert N. Herkes
Chair, Committee on Consumer Protection & Commerce
Via Email: CPCtestimony@Capitol.hawaii.gov

FROM: Mihoko E. Ito

DATE: February 20, 2012

RE: **H.B. 1966, HD1 – Relating to Vaccinations**
Hearing Date: Wednesday, February 22, 2012 at 2:00 p.m.
Conference Room 325

Dear Chair Herkes and Members of the Committee on Consumer Protection & Commerce:

I am Mihoko Ito, an attorney with Goodsill Anderson Quinn & Stifel, submitting comments on behalf of Walgreen Co. (“Walgreens”). Walgreens operates more than 8,200 locations in all 50 states, the District of Columbia and Puerto Rico. In Hawai`i, Walgreens now has 11 stores on the islands of Oahu, Maui and Hawai`i.

Walgreens **supports** H.B. 1966, HD1, allows pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen, provided that the pharmacist fulfills certain training and reporting requirements.

In Hawaii, the current law allows for vaccines to be given to person 18 years or older pursuant to a collaborative practice agreement. Walgreens ultimately supports the lowering of the age restrictions to age 9 for the flu and other pharmacist-administered vaccines without a physician's prescription. To date, 27 other states have a lowered their age restrictions to at least 9 years old, and in most of these states this practice is allowed this practice pursuant to a physician protocol, rather than a prescription.

However, we support H.B. 1966 , HD1 as a result of the work of the task force, because we believe that increasing access to vaccines is an important public, and appreciate that the issue was fully considered and analyzed by the interested stakeholders.

February 20, 2012

Page 2

Allowing pharmacists to administer vaccinations is a low-cost and convenient way to meet an important public health need. Studies have shown that in states in which pharmacists are allowed to administer vaccines, the vaccine coverage rates are increased for the target population.

Pharmacists are required to receive specialized training to administer vaccinations. Presently, Walgreens pharmacists who participate in vaccine programs go through a "Pharmacy-Based Immunization Delivery" certificate training program offered by the American Pharmacists Association and recognized by the Centers for Disease Control and Prevention (CDC), or a state approved equivalent program. In addition to immunization training, all participating pharmacists are required to become certified in adult and child CPR and take OSHA blood-borne pathogens training. These programs include training to administer vaccines for children nine years of age and older.

Walgreens is committed to promoting public health by improving the accessibility of life-saving vaccines. We believe that, given proper training and certification for pharmacists, lowering the age restrictions for pharmacist-administered vaccines will improve access to vaccines and serve as a valuable preventative tool. In Hawai'i, it would also allow for a quick and effective response to vaccinate a large number of people in the event of a public health emergency.

Thank you very much for the opportunity to testify in support of this measure.

HMSA



An Independent Licensee of the Blue Cross and Blue Shield Association

February 22, 2012

The Honorable Robert N. Herkes, Chair
The Honorable Ryan I. Yamane, Vice Chair

House Committee on Consumer Protection and Commerce

Re: HB 1966, HD1 – Relating to Vaccinations

Dear Chair Yamane, Vice Chair Morikawa and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of HB 1966, HD1. This Bill will authorize pharmacists to administer influenza vaccine to persons between 14 and 17 years of age, pursuant to a valid prescription.

Keeping our members healthy through personal attention and preventive care is the cornerstone of our new model of health care delivery for our members - the patient centered medical home. Our vision is to have the primary care provider work on an individual health care regime for each of our members, including appropriate and acceptable immunizations. Taking personal responsibility and preventive measures will help minimize the opportunity for each member to endure more severe and costly health conditions.

The importance of preventive measures, including immunizations, was not better highlighted than in the Affordable Care Act (ACA). While many of the other elements of the federal health care reform will not be realized until 2014, the ACA mandated preventive health services with no cost-sharing within the first six months of the ACA's enactment, September 2010. In Hawaii, the State Administration, working with the Hawaii Association of Health Plans, reenergized the statewide school-located flu vaccination program, further exemplifying the commitment to preventive health and an appropriate immunization program.

Thank you the opportunity to testify in support of HB 1966, HD1.

Sincerely,

Jennifer Diesman
Vice President
Government Relations



Hawaii Association of Health Plans

February 22, 2012

The Honorable Robert N. Herkes, Chair
The Honorable Ryan I. Yamane, Vice Chair

House Committee on Consumer Protection & Commerce

Re: HB 1966 HD1 – Relating to Vaccinations

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

My name is Richard Jackson and I am chair of the Public Policy Committee of the Hawaii Association of Health Plans (HAHP). HAHP is a non-profit organization consisting of eight (8) member organizations: AlohaCare, HMAA, HMSA, HWMG, Kaiser Permanente, MDX Hawai'i, UHA, and UnitedHealthcare. Our mission is to promote initiatives aimed at improving the overall health of Hawaii. HAHP is also an active participant in the legislative process. Before providing any testimony, all HAHP member organizations must be in unanimous agreement of the statement or position.

We appreciate the opportunity to provide testimony in support of HB 1966 HD1 which would allow pharmacists to administer the influenza vaccine to patients aged fourteen to seventeen, per a physician's prescription.

HAHP understands the importance of preventative care, and we have committed to working with the State Administration to financially support the Stop Flu at School Program (SFAS). SFAS is a vaccination program that supplies the influenza vaccine at participating schools statewide, and its intent is to increase access to inoculation against influenza.

Similarly, we believe that by allowing pharmacists to provide the vaccine under physician's orders, more children will be able to receive the vaccine. These preventative measures will help ensure the health of our keiki and help prevent the more severe health issues that can arise from instances of influenza.

Thank you for allowing us to testify in support of this measure today.

Sincerely,

Richard Jackson
Chair, Public Policy Committee



3375 Koapaka Street, D-108
Honolulu, HI 96819

Phone: (808) 831-0811
Fax: (808) 831-0833

February 22, 2012

Representative Robert Herkes, Chair
Representative Gilbert Keith-Agaran, Chair
Representative Ryan Yamane, Vice Chair
Representative Karl Rhoads, Vice Chair
Members of the House Committee Consumer Protection & Commerce
Members of the House Committee on Judiciary

Re: HB 1966, HD1: Relating to Vaccinations

Dear Chair Herkes, Chair Keith-Agaran, Vice Chair Yamane, Vice Chair Rhoads, and Members of the Committees, on behalf of Times Supermarkets, we are writing in **support** of HB 1966, HD1.

HB 1966, HD1 allows pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen provided that the pharmacist has fulfilled certain requirements. We believe that this measure is an important step toward making influenza vaccines more readily available to a wider population.

As you may know, Times Supermarkets is based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu. Please feel free to contact me should you have any questions regarding this matter at (209) 957-2555, ext 153 or Bob Stout, President of Times Supermarket at (808) 831-0811. We thank you in advance for your consideration and we look forward to continuing the dialogue regarding this and other important public policies.

Respectfully,

Bob Gutierrez
Director of Government Affairs,
Times Supermarket and Big Save Supermarket

February 22, 2012

To: Representative Robert N. Herkes, Chair
Representative Gilbert Keith-Agaran, Chair
Representative Ryan I. Yamane, Vice Chair
Representative Karl Rhoads, Vice Chair
Members of the House Committee on Consumer
Protection & Commerce
Members of the House Committee on Judiciary

From: Susan Houghton, Director of Public Affairs and Government
Relations

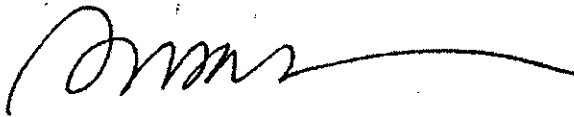
Re: Safeway Support for HB 1966, HD1: Relating to Vaccinations

Thank you for the opportunity to submit in support of HB 1966, HD1.

HB 1966, HD1 allows pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen provided that the pharmacist has fulfilled certain requirements. This measure is a significant and important step toward making influenza vaccines more readily available to a wider population.

Thank you for the opportunity to share our views on this important legislation. Should you have additional questions, please do not hesitate to contact me at (925) 467-2212 or George Glukfeld, our Hawaii district manager at (808) 524-4554.

Sincerely,



Susan M. Houghton
Director of Public Affairs and Government Relations