

Honolulu, Hawaii

APR 05 2013

RE: H.B. No. 652

S.D. 2

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 652, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REMOTE DISPENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit new remote dispensing pharmacies from operating within ten miles of any pharmacy, excepting those remote dispensing pharmacies in operation prior to the effective date of this measure; and
- (2) Extend the repeal date of Act 212, Session Laws of Hawaii 2008, to January 1, 2016.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health, Times Supermarket, and one individual. Your Committee received comments on this measure from the Board of Pharmacy and Kaiser Permanente.

Your Committee finds that many individuals living in underserved or remote areas need improved access to medications and pharmacy services. Act 212, Session Laws of Hawaii 2008, sought to address these issues by permitting remote dispensing pharmacy operations. Your Committee further finds that remote dispensing permits a licensed pharmacist to dispense prescription medications from a location away from the responsible pharmacy, via live computer, video, and audio link with the responsible




pharmacy and pharmacist-in-charge. This technology provides pharmacist oversight of the dispensation of prescription drugs, while also allowing pharmacies to serve patients in underserved or remote areas.

Your Committee additionally finds that the location of remote dispensing pharmacies near retail pharmacies may create operational challenges for retail pharmacies. This measure recognizes these challenges and prohibits new remote dispensing pharmacies from operating within ten miles of any pharmacy, except those remote dispensing pharmacies in operation prior to the effective date of this measure. This measure also extends the sunset date of Act 212, Session Laws of Hawaii 2008, until January 1, 2016.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 652, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 652, S.D. 2.

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



ROSALYN H. BAKER, Chair



