

Honolulu, Hawaii

February 20, 2015

RE: H.B. No. 1176

H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1176 entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

begs leave to report as follows:

The purpose of this measure, as received by your Committee, is to prohibit persons licensed pursuant to Chapter 453, Hawaii Revised Statutes (HRS), relating to medicine and surgery, and Chapter 463E, HRS, relating to podiatrists, from:

- (1) Prescribing a greater than 30-day supply of any narcotic drug;
- (2) Issuing the automatic refill of a narcotic drug.

The Hawaii Medical Board and an individual supported this measure. The Queen's Health Systems, Hawaii Society of Physical Medicine & Rehabilitation, and two individuals opposed this measure. Walgreen Co., submitted comments on this measure.

Upon further consideration, your Committee has amended this measure by deleting its contents and inserting provisions that address consumer protection issues addressing the regulation of prescription medication and narcotic drugs. As amended, among other things, this measure:



- (1) Establishes a Narcotics Advisory Committee within the Department of Public Safety to recommend acceptable continuing medical education program topics and curriculum to Narcotics Enforcement Division,
- (2) Establishes a mandatory continuing medical education program for prescribing practitioners who prescribe narcotic drugs;
- (3) Requires that a pain medication agreement be executed between a patient and any prescriber of a narcotic drug within the State for use as a pain medication;
- (4) Requires that beginning January 1, 2017, practitioners and practitioner delegates are to request patient information from the central repository prior to prescribing or dispensing a controlled substance to a new patient and request patient information from the central repository for a patient receiving chronic pain therapy;
- (5) Establishes the Overdose Prevention and Emergency Response Act, which creates immunity for individuals who prescribe, possess, or administer an opioid antagonist during an opioid-related drug overdose
- (6) Appropriates funds for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride; and
- (7) Changes the effective date to July 1, 2050, to facilitate further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1176, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Health,



DELLA AU BELATTI, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 544

Record of Votes of the Committee on Health

Bill/Resolution No.: HB1176	Committee Referral: HLT, CPC/JUD	Date: 2/18/15		
<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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.	✓			
4. JORDAN, Jo	✓			
5. KOBAYASHI, Bertrand	✓			
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.	✓			
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.	✓			
TOTAL (9)	9			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				