

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 302
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Health and Judiciary and Labor, to which was referred S.B. No. 302 entitled:

"A BILL FOR AN ACT RELATING TO DRUG OVERDOSE PREVENTION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Create immunity for individuals who prescribe, possess, or administer an opioid antagonist such as naloxone hydrochloride during an opioid-related drug overdose;
- (2) Authorize emergency personnel to administer opioid antagonist;
- (3) Require Medicaid coverage for naloxone hydrochloride;
- (4) Exempt pharmacists and pharmacies from licensure and permitting requirements, except for drug storage requirements, for storing and distributing opioid antagonists; and
- (5) Make an appropriation for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride.

Your Committees received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Hawaii Community Pharmacists Association, Walgreen Co., Drug Policy Forum of



Hawaii, Hawaii Medical Association, The CHOW Project, Drug Policy Action Group, and ten individuals. Your Committees received comments on this measure from the Department of Human Services, Department of Health, and Hawaii Association for Justice.

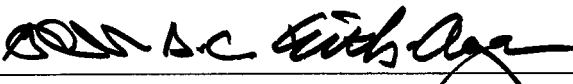
Your Committees find that Good Samaritan policies, also known as medical amnesty, are life-saving measures that are in the best interest of the public's health, safety, and welfare. These policies facilitate responsible decision-making by shielding individuals from punishment when they seek medical attention during an emergency involving alcohol and controlled substances.

Your Committees further find that if criminal punishment is intended to deter drug abuse, it clearly is too late to deter abuse when a person is already suffering from an overdose. Good Samaritan policies should not be perceived as a "get out of jail free card" or a reward for illegal drug use. Rather, they enable individuals to make potentially life-saving decisions promptly and without hesitation.

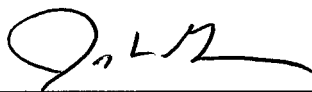
Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 302, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 302, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Judiciary and Labor,



GILBERT S.C. KEITH-AGARAN, Chair

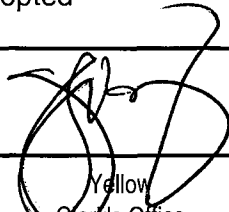


JOSH GREEN, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i


Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 302	Committee Referral: HTH/JDL, WAM	Date: 2/11/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.	✓			
GABBARD, Mike				✓
RIVIERE, Gil	✓			
RUDERMAN, Russell E.	✓			
SLOM, Sam				✓
TOTAL	5	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB302	Committee Referral: HTH/JDL, WAM	Date: 2/13/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
ESPERO, Will	✓			
GABBARD, Mike				✓
IHARA, Jr., Les	✓			
THIELEN, Laura H.	✓			
SLOM, Sam				✓
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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