

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 798
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 Public Safety,
Intergovernmental and Military Affairs, to which was referred S.B.
No. 798 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require a pain medication agreement to be executed between a patient and any prescriber of a narcotic drug within the State for use as pain medication under certain conditions; and
- (2) Require the Administrator of the Narcotics Enforcement Division to develop and make available a template of a pain medication agreement for use in the State.

Your Committees received testimony in support of this measure from Walgreen Co., Hawaii Community Pharmacists Association, and Work Injury Medical Association of Hawaii. Your Committees received testimony in opposition to this measure from the Hawaii Medical Association. Your Committees received comments on this measure from the Hawaii College of Emergency Physicians.

Your Committees find that pain management agreements create an understanding between patient and provider regarding the management of pain and the medications used. Pharmacists are enabled to work better with physicians and other providers to



provide pain medications through clearer guidelines and expectations.

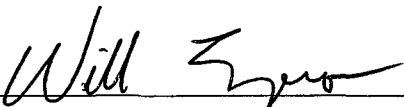
Your Committees note that the issue of urine drug testing as a mandate for the pain management agreement raises concerns that merit further consideration and requests that your Committee on Commerce and Consumer Protection further examine this issue if it chooses to hear this measure.

Your Committees have amended this measure by:

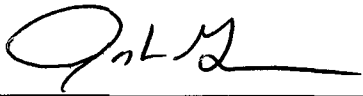
- (1) Inserting language to exempt emergency room and urgent care providers from executing a pain medication agreement when prescribing a narcotic drug in the patient's first encounter;
- (2) Deleting language related to urine drug testing consent and urine drug testing coverage from the pain management agreement template; and
- (3) 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 Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 798, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 798, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committees on Health and Public
Safety, Intergovernmental and
Military Affairs,



WILL ESPERO, Chair



JOSH GREEN, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

| | | | | |
|--|--|-------------------------|----------|----------|
| Bill / Resolution No.:* SB 798 | Committee Referral: HTH/PSM, CPN | 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 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 | | | | ✓ |
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| 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

