



SB2461

Measure Title:	RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT.
Report Title:	Uniform Controlled Substances Act; Electronic Prescription Accountability System
Description:	Beginning January 1, 2017, requires practitioners who administer, prescribe, or dispense a controlled substance under schedules II through IV to register with the electronic prescription accountability system as part of the renewal process for controlled substance registration. Expands access to investigative information in the electronic prescription accountability system to certain individuals and for certain purposes.
Companion:	
Package:	None
Current Referral:	PSM, CPH
Introducer(s):	GREEN, CHUN OAKLAND, Baker, Espero, Kim, Shimabukuro, L. Thielen

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
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No. _____

TESTIMONY ON SENATE BILL 2461
RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT

By
Nolan P. Espinda, Director

Senate Committee on Public Safety, Intergovernmental Affairs, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Will Espero, Vice Chair

Thursday, February 11, 2016; 1:15 p.m.
State Capitol, Conference Room 229

Chair Nishihara, Vice Chair Espero, and Members of the Committee:

The Department of Public Safety (PSD) **supports** Senate Bill (SB) 2461, which would require practitioners who administer, prescribe, or dispense, controlled substances under Schedules II through IV to register with the Electronic Prescription Accountability System (EPAS). PSD respectfully asks that the bill be modified to be consistent with the language contained in SB 2915 which states, "As part of the controlled substance registration process all practitioners and pharmacies shall be registered...to utilize the electronic prescription accountability system."

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [PSMTestimony](#)
Cc: AKOE002@hawaii.rr.com
Subject: Submitted testimony for SB2461 on Feb 11, 2016 13:15PM
Date: Monday, February 08, 2016 8:29:03 PM

SB2461

Submitted on: 2/8/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Ako DVM	Hawaii Veterinary Medical Association	Support	No

Comments: Honorable Chair Senator Nishihara, Vice chair Senator Espero, and members of the Committee on Public Safety, Intergovernmental and Military Affairs, The Hawaii Veterinary Medical Association is in support of SB2461, if we are correct in reading the text that veterinarians are NOT included. While we are in full support of addressing drug abuse, veterinarians are unable to use this system. It just does not work for us. Many are small practices who cannot afford to have the necessary computer skills, software or hardware required. Now the DEA has sent notices that we are required to upgrade our software. We do not dispense very often. Our clients are not our patients. We have requested but not received training from the state or the federal government. If I am wrong and veterinarians are included, then we oppose. Mahalo, and with all due respect, Eric Ako DVM ExecVP, HVMA

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Cc: sassymac1@gmail.com
Subject: *Submitted testimony for SB2461 on Feb 11, 2016 13:15PM*
Date: Tuesday, February 09, 2016 8:09:18 PM

SB2461

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Naomi MacPherson dvm	hvma	Oppose	No

Comments:

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Jill Yoshicedo, DVM
Kailua Animal Clinic
111 Hekili St. Ste 104
Kailua HI 96734

February 10, 2016

Committee on Public Safety, Intergovernmental, and Military Affairs
Senator Clarence K. Nishihara, Chair
Senator Will Espero, Vice Chair

RE: SB 2461 Relating to the Uniform Controlled Substances Act

Dear Committee on Public Safety, Intergovernmental, and Military Affairs,

As a veterinarian actively practicing in Hawaii for the past 7 years, I am strongly opposed to SB 2461 due to its effective prohibition of critical aspects of veterinary care involving the administration and prescription of controlled substances such as euthanasia and treatment of seizure patients.

The current definition of "practitioner" in the existing Hawaii Revised Statutes Section 329-1 Uniformed Controlled Substance Act Definitions reads:

"Practitioner" means:

(1) A physician, dentist, **veterinarian**, scientific investigator, or other person licensed and registered under section 329-32 to distribute, dispense, or conduct research with respect to a controlled substance in the course of professional practice or research in this State;

Because the HRS 329 Uniform Controlled Substances Act definition of "practitioner" includes veterinarians, the proposed changes in SB 2461 would apply to veterinarians.

As I have testified in previous years with many of my colleagues, the proposed changes in SB 2461 would severely limit a veterinarian's ability to administer and prescribe the small amount of controlled substances used in our daily line of work because of the current difficulties in complying with the current electronic reporting system which is not designed for veterinary use.

In dealing with the current HRS 329 Uniform Controlled Substances Act electronic reporting system requirement regarding dispensing controlled substances, my clinic has not been able to effectively comply with the requirement due to the issues with the reporting system described below. Because of this, we have not been able to dispense

controlled substance medications to patients in need, and have had to instead write prescriptions for these medications to be filled at an outside pharmacy, which is an inconvenience to our clients as well as a loss of business revenue.

However, if SB 2461 were to pass, restricting veterinary administration and prescribing of controlled substances, there are no alternatives to using these medications in my line of work. It would be inconceivable for me to continue to practice responsible veterinary medicine without being able to humanely euthanize a suffering animal or to stop active seizures in a hospitalized patient using these essential controlled substances.

Since the electronic reporting system requirement regarding dispensing controlled substances was established, veterinarians have not been able to fully comply with the requirement due to system errors and inconsistencies as the system is set up for the human, not veterinary, medical field. The current electronic reporting system does not recognize many of the controlled substances veterinarians commonly use, and requests information impertinent to the veterinary-client-[animal] patient prescribing relationship. Additionally, the electronic system is difficult to use and error-prone, and technical support is often unavailable or unhelpful. Attempting to use the current system takes an unacceptable amount of the practitioner's time; the majority of Hawaii's veterinarians are very small businesses that do not have extra time or staff to deal with a reporting system that may take hours each week to file even a single controlled drug use event.

Without first establishing a functioning reporting system for VETERINARY use, it is inappropriate to require veterinarians to adhere to the same restrictions on controlled substance use as the human medical field. Furthermore, controlled substance use in the veterinary field has a miniscule impact on the issue of controlled drug abuse in humans. Please note that veterinarians already log all controlled substance use for federal DEA requirements. SB 2461 places an unjustified and insurmountable reporting burden upon most, if not all, veterinarians in Hawaii.

Please OPPOSE SB 2461 unless it includes a specific amendment exempting veterinarians from these reporting requirements, at least until a functioning and effective reporting system is in place that would allow us to comply with the law.

Thank you for the opportunity to submit testimony, and your consideration of the unintended consequences of SB 2461 on the veterinary medical field. Please contact me if I can be of further assistance.

Jill Yoshicedo, DVM

Hawaii Veterinary Medical Association
President-Elect

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To: [PSMTestimony](#)
Cc: mkim@mauihumanesociety.org
Subject: Submitted testimony for SB2461 on Feb 11, 2016 13:15PM
Date: Tuesday, February 09, 2016 5:24:10 PM

SB2461

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Miyo Miyasaki-Kim	Maui Humane society	Oppose	No

Comments: I am a shelter veterinarian and this bill will create a huge burden for our shelter. We currently do surgery on over 4000 animals/year, providing free/low cost spay neuter to public animals. all surgeries require the administration of controlled substances for anesthesia and pain relief. We are an open admission shelter that also is faced with performing a fair amount of euthanasia. We already record all our drugs according to current requirements. To have to do additional reporting on line will be a huge burden for us. mahalo! Miyo Kim

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To:

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY AFFAIRS

Senator Clarence K. Nishihara, Chair

Senator Will Espero, Vice Chair

DATE: Thursday, February 11, 2016

TIME: 1:15 p.m.

PLACE: Conference Room 229

From: Hawaii Medical Association

Dr. Scott McCaffrey, MD, President

Dr. Linda Rasmussen, MD, Legislative Co-Chair

Dr. Ronald Keinitz, MD, Legislative Co-Chair

Dr. Christopher Flanders, DO, Executive Director

Lauren Zirbel, Community and Government Relations

Re: SB 2461

Position: SUPPORT with amendments for funding for auto-registration

Hawaii Medical Association supports this legislation.

The HMA suggests that this bill contain an appropriation to fund a system which will auto-register physicians in the electronic prescription accountability system when they apply for their controlled substance registration. This system needs to be updated and streamlined so that it is easy for providers to sign up. This will help ensure compliance and increase utilization of this important program.

Thank you for the opportunity to provide testimony

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Cc: david@kingdonconsulting.com
Subject: Submitted testimony for SB2461 on Feb 11, 2016 13:15PM
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SB2461

Submitted on: 2/8/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon	Individual	Support	No

Comments: As a paramedic and public health practitioner, I strongly support any effort that would tighten accountability for prescription of narcotics, particularly narcotic analgesic and/or opioid medications. While they do have benefits in certain circumstances, these medications are currently overprescribed, overused, abused and trafficked in our communities. This has led to an epidemic of opioid addiction, illness, and death in Hawaii and across the nation. Thank you for your consideration.

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SB2461

Submitted on: 2/9/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Sharman R Elison	Individual	Oppose	No

Comments: As the Owner Director of a small animal veterinary clinic, the bill puts a financial burden on having to duplicate our records of monitoring our use of controlled drugs. We are obligated to designate a staff member to work with the recording system and with the time it takes to report the activity, the cost outweighs the true threat of abuse of these drugs in our practice. It is well known that veterinarians try to provide their patient clients with a strong economically based service and adding the activity requested in SB2461 simply adds an unnecessary cost to those services.

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Subject: Submitted testimony for SB2461 on Feb 11, 2016 13:15PM
Date: Wednesday, February 10, 2016 12:07:46 AM

SB2461

Submitted on: 2/10/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Alfred J. Mina, DVM	Individual	Comments Only	No

Comments: This electronic reporting system requirement for dispensing controlled substances has been a burden to Hawaii veterinarians since it was initiated. It's been difficult to comply with the requirement due to the many system errors and inconsistencies encountered while entering data. This system is set up for human medicine, not veterinary medicine, and it's frustrating, time consuming, and more frustrating when dealing with the system errors. I oppose SB2461

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Cc: drbwavevet@hawaiiink.net
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Date: Wednesday, February 10, 2016 8:38:58 AM

SB2461

Submitted on: 2/10/2016

Testimony for PSM on Feb 11, 2016 13:15PM in Conference Room CR229

Submitted By	Organization	Testifier Position	Present at Hearing
Ihor Basko, DVM, CVA	Individual	Comments Only	No

Comments: February 10 2016 Dear Honorable senators and Committee Members
Please reject SB2461 for veterinarians. It does not serve the general public and will only add more frustration to the process of providing euthanasia drugs, and other drugs for relieving seizures and pain during a hospice type situation. The drugs used by most veterinarians are not the kind that someone would like to get "high" on, and therefore not a problem with abuse by humans. Thank you for your consideration in this important matter. Sincerely, Ihor Basko DVM, CVA All Creatures Veterinary Services 6240 Helena Lane Kapaa, HI 96746

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