

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
DEPUTY DIRECTOR
ADMINISTRATION

DEPUTY DIRECTOR
CORRECTIONS

Shawn H. Tsuha
DEPUTY DIRECTOR
LAW ENFORCEMENT

No. _____

TESTIMONY ON SENATE BILL 303, SENATE DRAFT 1
RELATING TO HEALTH

By
Nolan P. Espinda, Director
Department of Public Safety

House Committee on Judiciary
Representative Karl Rhoads, Chair
Representative Joy A. San Buenaventura, Vice Chair

Thursday, March 19, 2015, 2:00 PM
State Capitol, Room 325

Chair Rhoads, Vice Chair San Buenaventura, and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of Senate Bill (SB) 303, Senate Draft (SD) 1, which proposes to establish the Hawaii Drug Take-Back and Education Initiative, to coordinate and increase the safe return and disposal of drugs, and the Narcotics Enforcement and Prescription Drug Monitoring Advisory Committee within the Department of Health (DOH), to advise the PSD's Narcotics Enforcement Division (NED).

Both the electronic prescription monitoring program and the drug take-back program currently reside within the Narcotics Enforcement Division of the Department of Public Safety. If the Legislature believes in the need for a Narcotics Enforcement and Prescription Drug Monitoring Advisory Committee, then the Advisory Committee is likely to be more effective if it is established within the PSD and not the DOH. It should also be noted that there already exists a State Narcotics Policy Working Group advising the PSD that convenes regularly to discuss issues relating to medical practice and controlled substances. This entity may be a suitable alternative to convening a Governor-appointed Narcotics Policy Advisory Committee.

In order to ensure that the requirements of the take-back program follow both State and Federal law, the PSD would like to suggest that Page 3, Line 15 of the bill be amended to read as follows:

“...requirements of State and federal law, each quarter;”

The NED has run a pharmaceutical controlled substance practitioner take-back program for over three decades, and in 2010 started an unfunded program of scheduled events, allowing the public to turn in their unwanted prescription (controlled and non-controlled) drugs to the NED for disposal. The NED has conducted these take-back events in collaboration with Federal, State, County and community partners on a quarterly basis; however, funding for disposal of the drugs and staffing overtime for the weekend events has come at a considerable cost. With the Drug Enforcement Agency discontinuing their semiannual take-back events in 2014 and State legislation allowing pharmacies to receive pharmaceutical take-back drugs with the costs likely passed on to patients returning the drugs, the NED has continued its pharmaceutical drug take-back events. The NED has continued the program to reduce the possibility of theft, diversion, and the recycling of these returned medications as a service to the community.

As drafted, SB 303, SD1 does not appropriate any funding or personnel resources to accomplish the requirements of this bill. The PSD estimates that the annual cost to run a statewide drug take-back program would be approximately \$45,000.00 if existing manpower is utilized. (Please view attached budget estimate.)

Thank you for the opportunity to testify on this bill.

ATTACHMENT 1

Prescription Drug Take back Cost

	times per year	Locations	Staff per location	OT per HR	Per diem per trip total @20	Car @ 80	Air fare RT	SR 24 (50.62) per OT hr OT TOTAL	TOTAL COST
Oahu	2	4	3	6	0	0	0	7289.28	7289.28
Hawaii	2	3	3	8	360	480	4500	7298.28	12638.28
							250 per		
Maui	2	3	3	6	360	480	3150	5466.96	9456.96
							175 per		
Kauai	4	Box	2	8	160	320	1040	3239.68	4759.68
							130 per		
Molokai	4	Box	2	8	160	320	1400	3239.68	5119.68
							175 per		
Lanai	3	Box	2	8	120	240	1080	2429.76	3869.76
Boxes and supplies@1000							180 per		1000
Disposal fee @200	4								800
								TOTAL:	44933.64



HAWAII SUBSTANCE ABUSE COALITION

SB303 SD1 (H) RELATING TO HEALTH

COMMITTEE ON JUDICIARY: Representative Karl Rhoads, Chair; Representative Joy San Buenaventura, Vice Chair

- Thursday, March 19, 2015 at 2:00 p.m.
- Conference Room 325

HSAC Supports SB303 SD1:

Good Morning Chair Rhoads; Vice Chair San Buenaventura; And Distinguished Committee Members. My name is Alan Johnson, Chair of the Hawaii Substance Abuse Coalition, an organization of more than thirty treatment and prevention agencies across the State.

The Hawaii Substance Abuse Coalition supports the Hawaii drug take-back and education initiative to coordinate and increase the safe return and disposal of drugs and the narcotics enforcement and prescription drug monitoring advisory committee to advise the department of public safety narcotics enforcement division.

The Narcotic Policy Work Group reviewed the research and prepared the recommendations for this bill.

The Narcotic Policy Work Group, led by Dr. Miscovitch and Senator Green, is comprised of:

- numerous physicians, including pain specialists
- medical representatives from the hospitals,
- representative from Public Safety,
- representative from Department of Health,
- Judge Alm,
- pharmacists,
- VA,
- representative from the Hawaii Substance Abuse Coalition,
- representatives from HMSA,
- representative from Kaiser,
- representative from hospice,
- representative from Hawaii Medical Association,

Working together, we can improve outcomes and reduce costs.

We appreciate the opportunity to testify and are available for questions.

**Comments of
Gary M. Slovin/ Mihoko E. Ito
on behalf of
Walgreens**

DATE: March 18, 2015

TO: Representative Karl Rhoads
Chair, Committee on Judiciary

Submitted via JUDtestimony@capitol.hawaii.gov

RE: **S.B. 303, SD1 – Relating to Health**
Hearing: Thursday, March 19, 2015, 2:00 p.m.
Conference Room: 325

Dear Representative Rhoads and Members of the Committee on Judiciary,

We submit these comments on behalf of Walgreen Co. (“Walgreens”). Walgreens operates more than 8,200 locations in all 50 states, the District of Columbia and Puerto Rico. In Hawai`i, Walgreens now has 20 stores on the islands of Oahu, Maui and Hawai`i.

Walgreens **supports** the intent of S.B. 303, S.D. 1, which establishes the Hawaii drug take-back and education initiative to coordinate and increase the safe return and disposal of drugs and the narcotics enforcement and prescription drug monitoring advisory committee to advise the department of public safety narcotics enforcement division.

Walgreens believes that this measure, which is partly aimed at educating the public regarding the safe disposal and return of prescription drugs, will make a positive impact in the public awareness of how to dispose of prescription drugs. Walgreens also notes that the bill proposes the formation of a narcotics enforcement and prescription drug monitoring advisory committee. The Committee will be helpful in monitoring statewide statistics regarding prescription drugs, and providing recommendations regarding education programs that provide training to practitioners regarding pain management and safe prescribing. These types of educational programs will help address issues of patient

Gary M. Slovin
Mihoko E. Ito
C. Mike Kido
Tiffany N. Yajima

999 Bishop Street, Suite 1400
Honolulu, HI 96813
(808) 539-0840

misuse or abuse of prescription drugs, and safe prescribing protocols for prescription drugs.

Walgreens notes that, in order to implement the program outlined in the bill, an appropriation to the department of public safety narcotics enforcement division may be necessary, and we would support such an appropriation being made.

Thank you very much for the opportunity to submit testimony on this measure.



LATE

**STATE OF HAWAII
DEPARTMENT OF HEALTH**

P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB 303 SD1
Relating to Health**

REPRESENTATIVE KARL RHOADS, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: 3/19/15, 2:00pm

Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** We appreciate the intent of SB 303 SD1, but defer to the Department
3 of Public Safety as the lead agency in regards to implementation.

4 This measure seeks to establish a drug take-back and education initiative within the
5 Department of Public Safety and to establish a narcotics enforcement and prescription drug
6 monitoring advisory committee within the Department of Health. Based on HRS 329, these
7 responsibilities appropriately belong within the Department of Public Safety.

8 Educating individuals and the public about proper disposal of medications including
9 “Take Back” programs is a promising strategy for reducing prescription drug abuse based on a
10 comprehensive national review of policies and approaches.¹ The Department of Health is
11 collaborating with the Department of Public Safety on a study and analysis of fatal drug
12 poisonings and on educational efforts to increase prescriber use of the Prescription Monitoring
13 Program and appropriate prescribing practices. The Department of Health also conducts ongoing
14 surveillance related to drug poisoning to help guide program and policy efforts and produces an
15 annual report. Last year’s report entitled “Drug Overdose Deaths among Hawaii residents, 1999-
16 2013” can be accessed at

17 http://health.hawaii.gov/injuryprevention/files/2015/02/hawaii_SER_Drug_Deaths_3.pdf

18 Drug poisoning is a serious public health problem in Hawaii and across the nation. Based
19 on Hawaii death certificate records, fatal drug poisoning among Hawaii residents have increased

¹ <http://healthyamericans.org/assets/files/TFAH2013RxDrugAbuseRptFINAL.pdf>

1 significantly over the last 20 years to make it the leading mechanism of fatal injuries, surpassing
2 deaths from motor vehicle crashes and falls. There was an almost two-fold increase in deaths
3 from drug poisonings from 78 deaths per year in the 1999-2003 period to 151 deaths per year
4 over the 2009-2013 period. Almost all of the fatal poisonings in the 2009-2013 period were
5 drug-related (88%, or 754 of 856). Prescription drugs were implicated in nearly half (45%) of
6 the unintentional poisonings, including 36% of deaths that involved opioid pain relievers. Death
7 certificate codes further indicated that 52% of these deaths involved illicit substances, most
8 commonly methamphetamine (43%) and cocaine (8%).

9 Thank you for the opportunity to testify.

LATE

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

Comments: Honorable Chair Representative Rhoads and members of the Committee on Judiciary, I apologize for the late testimony. The Hawaii Veterinary Medical Association is in SUPPORT of SB303SD1 with an amendment. While the practice of veterinary medicine is directly affected by Chapter 329, a licensed veterinarian should be added to 329(A), as (6) One member shall be a licensed veterinarian as defined in Chapter 471. Like physicians, pharmacists, and dentists, veterinarians are required to participate in the mandatory reporting of scheduled drugs in accordance with the Uniform Controlled Substance Act. Veterinarians must be given a voice to effectively comply with the effort to curb substance abuse. Furthermore, veterinarians must properly dispose of controlled pharmaceuticals, and can play an important role in facilitating safe disposal by the owners of our patients. Please feel free to contact me. Respectfully yours, Eric Ako DVM Executive Vice President, HVMA