

Honolulu, Hawaii
February 16, 2018

RE: H.B. No. 1602
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 1602 entitled:

"A BILL FOR AN ACT RELATING TO OPIOIDS,"

begs leave to report as follows:

The purpose of this measure is to require a seller of opioid drugs to warn of the risks of addiction and death, by displaying a warning label on the drug container.

The Department of Public Safety, Hawaii Chapter of the American Physical Therapy Association, Walgreen Co., and Hawaii Substance Abuse Coalition testified in support of this measure. The Department of Health provided comments on this measure.

Your Committee notes that the Department of Public Safety has expressed concerns that the labeling requirements of section 329-38, Hawaii Revised Statutes, may be applicable to this measure. A violation of section 329-38 constitutes a class C felony under section 329-41, Hawaii Revised Statutes. Accordingly, the language in this measure may have the unintended consequence of exposing physicians to substantial penalties. Should this measure receive further consideration from your Committee on Consumer Protection and Commerce, your Committee requests that this concern be addressed.

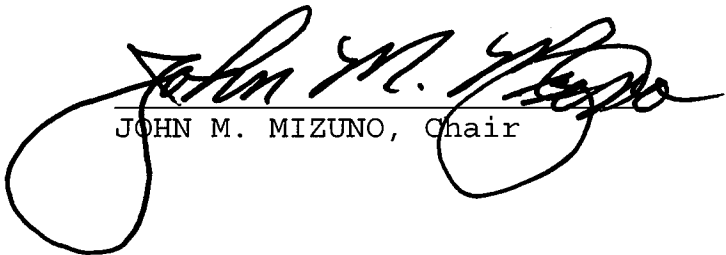


Your Committee has amended this measure by:

- (1) Removing the requirement that the warning label be printed in not less than fourteen-point font;
- (2) Changing the labeling requirement to an authorization for the inclusion of the warning label on the packaging of any opioid drug dispensed by a licensed health care professional or pharmacist;
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style; and
- (4) Changing the effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1602, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1602, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Health & Human
Services,


JOHN M. MIZUNO, Chair



