

STAND. COM. REP. NO.

3431

Honolulu, Hawaii

APR 05 2018

RE: H.B. No. 1602
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 1602, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO OPIOIDS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize a dispenser of opioid drugs to warn of the risks of addiction and death by displaying a warning label on the drug's package.

Your Committee received testimony in support of this measure from the Department of Public Safety, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Hawai'i Chapter of the American Physical Therapy Association, Walgreen Co., and Hawai'i Substance Abuse Coalition. Your Committee received comments on this measure from the Department of Health and Board of Pharmacy.

Your Committee finds that although opioid pain relievers are generally safe when taken for a short time as prescribed by a physician, they produce euphoria in addition to pain relief, and therefore are prone to misuse. Your Committee further finds that the Centers for Disease Control and Prevention formally declared an opioid epidemic in 2011, with more than 2,500,000 Americans diagnosed with an opioid-use disorder. Your Committee finds that this measure will address this epidemic by allowing health care



professionals and pharmacists to include a warning label when dispensing any opioid drug.

Your Committee has heard concerns of the Board of Pharmacy, Walgreen Co., and Hawaii Substance Abuse Coalition that the proposed warning may be too large to fit on a prescription bottle. Your Committee finds that an alternate warning proposed by the Board of Pharmacy will address these concerns while still promoting the purposes of this measure.

However, your Committee also finds that stronger safeguards are needed. Your Committee finds that requiring the inclusion of a warning label is more appropriate than leaving the inclusion to the discretion of the health care professional or pharmacist. Your Committee also notes that in many cases, a patient is required to sign to pick up the patient's prescription. Your Committee finds that requiring the patient and health care professional or pharmacist to sign an appropriate acknowledgment prior to dispensing the opioid drug would further promote the purposes of this measure, and the Board of Pharmacy has provided suitable language for such an acknowledgment.

Accordingly, your Committee has amended this measure by:

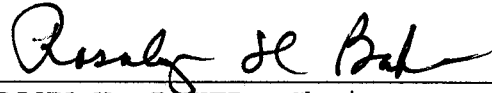
- (1) Amending the proposed warning to read, "Caution: OPIOID. Risk of overdose and addiction.";
- (2) Requiring, rather than authorizing, the inclusion of the proposed warning on the drug's package;
- (3) Requiring health care professionals and pharmacists to also provide a written acknowledgment signed by the health care professional or pharmacist, and the patient or person receiving the opioid drug for the patient, prior to dispensing of the opioid drug; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1602, H.D. 2, as amended herein,



and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1602, H.D. 2, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,

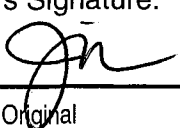


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1602 HD2	CPH	3/20/18		
<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
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.				/
RUDERMAN, Russell E.	/			
TOTAL	5			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes