

Honolulu, Hawaii
February 14, 2018

RE: H.B. No. 2125
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. 2125 entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,"

begs leave to report as follows:

The purpose of this measure is to require every pharmacy to accept for disposal the return of any unused, remaining, or expired prescription drug that the pharmacy previously dispensed.

The University of Hawai'i at Hilo Daniel K. Inouye College of Pharmacy, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Kaiser Permanente Hawai'i, and two individuals supported this measure. Walgreen Co. and an individual opposed this measure. The Department of Health, Department of Public Safety, Board of Pharmacy, and Hawaii Pharmacists Association provided comments.

Your Committee notes the testimony provided by the Department of Public Safety, which provided several comments on this measure. The Department noted that pharmacies, in conducting take back operations for disposal, may be required to comply with several federal controlled substances laws, for which this measure does not provide.




Your Committee further notes the testimony provided by SanHi Government Strategies on behalf of Walgreen Co., which states that mandating pharmacies to take back unused, remaining, or expired prescriptions in their stores can be problematic because there is no Drug Enforcement Agency sanctioned facility in the State to dispose of such medications. Pharmaceutical waste generated by pharmacies cannot be destroyed in any other way, and it would be against federal law for some pharmacies, such as Walgreens, to ship pharmaceutical waste for disposal.

Your Committee recognizes the comments received from testimony and appreciates stakeholder collaboration on this measure to address the concerns raised.

Your Committee has amended this measure by changing its 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. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2125, 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



