

STAND. COM. REP. NO.

393

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 190  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2017  
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Public Safety, Intergovernmental, and Military Affairs, to which was referred S.B. No. 190 entitled:

"A BILL FOR AN ACT RELATING TO THE CONTROLLED SUBSTANCES ACT,"

beg leave to report as follows:

The purpose and intent of this measure is to amend Hawaii's Uniform Controlled Substances Act to mirror federal regulations, which permit qualified practitioners to administer, dispense, and prescribe any schedule III, IV, or V narcotic drug approved by the Food and Drug Administration for use as a detoxification treatment or maintenance treatment if the practitioner complies with specific federal requirements.

Your Committees received testimony in support of this measure from the Department of Public Safety, Hawaii Substance Abuse Coalition, Walgreens Co., and one individual. Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that drug scheduling and the regulation of prescribing narcotic drugs in Hawaii are generally kept in accordance with federal standards. Your Committees further find that it is important for public health and safety to allow qualified practitioners to prescribe and administer necessary narcotic drugs for medically-managed withdrawal, detoxification, and maintenance treatment.

2017-1430 SSCR SMA-1.doc



Your Committees have amended this measure by:

- (1) Inserting a provision to update the Uniform Controlled Substances Act to be consistent with federal law which allows prescribing authorization of drugs including buprenorphine and naloxone to patients undergoing detoxification treatment and maintenance treatment by properly registered practitioners;
- (2) Inserting the term "medically-managed withdrawal" to reference treatment that is otherwise known as "detoxification treatment";
- (3) Amending language to permit qualified practitioners to also administer, dispense, and prescribe any schedule II narcotic drug approved by the Food and Drug Administration for use as a detoxification treatment or maintenance treatment;
- (4) Inserting language to require that, in addition to Title 21 Code of Federal Regulations section 1301.28, practitioners may not issue authorized narcotic drugs for use as a detoxification treatment or maintenance treatment unless the practitioner is in compliance with the registration requirements of section 329-32(e), Hawaii Revised Statutes, and any other federal or state regulatory standards relating to treatment qualification, security, records, and unsupervised use of drugs;
- (5) Inserting language that is consistent with federal regulations and allows physicians under certain circumstances to administer narcotic drugs to relieve acute withdrawal symptoms for not more than three days and to treat a person as an incidental adjunct to medical or surgical treatment; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Public Safety, Intergovernmental, and Military Affairs that are attached to this report, your Committees are in accord with the intent and



purpose of S.B. No. 190, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 190, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committees on Commerce,  
Consumer Protection, and Health  
and Public Safety,  
Intergovernmental, and Military  
Affairs,

*Clarence K Nishihara*

CLARENCE K. NISHIHARA, Chair

*Rosalyn H Baker*

ROSALYN H. BAKER, Chair





