STAND. COM. REP. NO. 1265-18

Honolulu, Hawaii

MAR 21 , 2018

RE: S.B. No. 2339

S.D. 1 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 S.B. No. 2339, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to authorize every pharmacy to accept for disposal the return of any unused, remaining, or expired prescription drug, with the exclusion of opioids, that the pharmacy previously dispensed using either receptacles or mailback programs.

The University of Hawaii at Hilo and Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i provided testimony in support of this measure. The Department of Public Safety, Board of Pharmacy, Department of Health, Kaiser Permanente, Hawaii Substance Abuse Coalition, and Walgreen Co. provided comments.

Your Committee has amended this measure by:

(1) Removing the exclusion of opioids from the authorization for pharmacies to accept for disposal the return of any unused, remaining, or expired prescription drug; and (2) Changing the effective date to July 1, 3000, to encourage further discussion.

Your Committee notes that the Department of Public Safety voiced concerns in its testimony that this measure does not specify that pharmacy collection sites comply with certain requirements of federal law, including federal Drug Enforcement Agency regulations that require a drug collection site to register with the Agency as a "collector" and prohibit pharmacies from recycling collected drugs. Further, the Department expressed concerns about the cost of complying with the federal requirement that collected drugs be returned to a registered reversedistribution site, of which there are none in-state, for disposal.

Your Committee further notes that alternative drug collection sites may include emergency services facilities as well as police and sheriff stations. Additionally, it is the intent of your Committee that this measure should conform with federal law and should complement but not duplicate ongoing drug take back programs, such as the effort to implement Focus Area 4 of the 2017 Hawaii Opioid Action Plan: the placement of take back containers in county police stations across the State.

Should this measure receive further consideration by the Committee on Consumer Protection and Commerce, your Committee requests that additional options for reverse distribution that may cost less, and thus will not contribute to a significant increase in drug prices for consumers, be explored.

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 S.B. No. 2339, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2339, S.D. 1, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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

JOHN M. MIZUNO, Chair



State of Hawaii House of Representatives The Twenty-ninth Legislature

Record of Votes of the Committee on Health & Human Services

Bill/Resolution No.: 5B2339, SD1	Committee Referral:	Date	3-13-	18
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HHS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)				1 1 2011
2 DELATED D. L.				
3. BELATTI, Della Au				
4. LEARMONT, Lei R.			an ann deile ann air geallagaig ann airtin ain de Sainea.	
5. TUPOLA, Andria P.L.				
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TOTAL (5)	5			
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				