

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 mail-back 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 reverse-distribution site, of which there are none in-state, for disposal.

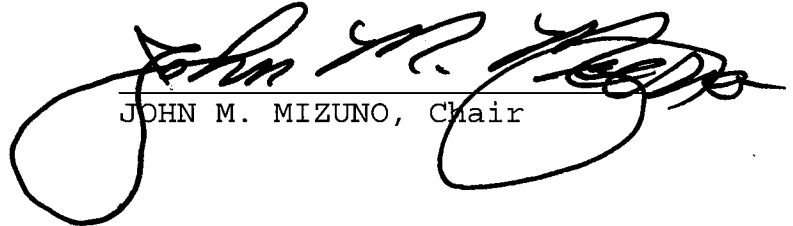
Your Committee further notes that alternative drug collection sites may include emergency services facilities as well as police and sheriff stations. Additionally, it is the intent of your Committee that this measure should conform with federal law and should complement but not duplicate ongoing drug 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.



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

  
JOHN M. MIZUNO, Chair



