

STAND. COM. REP. NO.

386

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 868  
S.D. 1

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

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 868 entitled:

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

begs 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 Committee received testimony in support of this measure  
from the Department of Public Safety, Hawaii Medical Association,  
Hawaii Substance Abuse Coalition, Walgreens Co., Community Health  
Outreach Work, and three individuals.

Your Committee finds that drug scheduling and the regulation  
of prescribing narcotic drugs in Hawaii are generally kept in  
accordance with federal standards. Your Committee further finds  
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.

Your Committee has amended this measure by:

2017-1591 SSCR SMA.doc



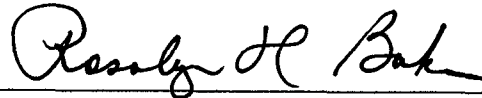
- (1) Inserting a provision to update the Uniform Controlled Substances Act to be consistent with federal law which allows prescribing authorization of drugs including buprenorphine and naloxone to patients undergoing detoxification treatment and maintenance treatment by properly registered practitioners;
- (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;
- (6) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (7) 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 S.B. No. 868, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 868, S.D. 1, and be referred to your Committee on Public Safety, Intergovernmental, and Military Affairs.

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



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ROSALYN H. BAKER, Chair



