

Honolulu, Hawaii

February 14, 2019

RE: H.B. No. 1272  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1272  
entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize certain pharmacies to collect prescription drugs for disposal via secured collection receptacles or mail-back programs; and
- (2) Prohibit pharmacies from re-dispensing or returning prescription drugs that have been returned for disposal.

The University of Hawaii at Hilo Daniel K. Inouye College of Pharmacy, Board of Pharmacy, Hawaii Medical Service Association, Walgreen Co., O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and one individual testified in support of this measure. The Department of Health and CVS Health provided comments.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to promote further discussion.



Your Committee notes the testimony of CVS Health which proposes an amendment to the measure that reads as follows:

"§461- Return for disposal of unused, remaining, or expired drugs; pharmacy options. (a) No pharmacy shall accept the return of any prescription drug unless:

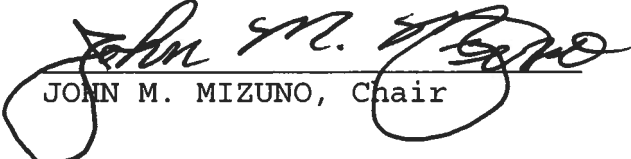
- (1) The pharmacy is collecting the prescription drug for disposal only; and
- (2) The prescription drug was dispensed in error;
- (3) The prescription drug was defective, adulterated, misbranded, and dispensed beyond its expiration date or subject to a recall;
- (4) The prescription drug was unable to be delivered and remained in the custody and control of the pharmacy or agent of the pharmacy; and
- ~~(2)~~(5) The pharmacy is registered with the United States Drug Enforcement Administration as an authorized collector pursuant to title 21 Code of Federal Regulations section 1317.40.

Should your Committee on Judiciary deliberate on this measure further, your Committee on Health respectfully requests that it adopt the preceding amendment.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1272, H.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
JOHN M. MIZUNO, Chair



