

STAND. COM. REP. NO.

843

Honolulu, Hawaii

MAR 01 2019

RE: S.B. No. 535
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 535 entitled:

"A BILL FOR AN ACT RELATING TO PHARMACISTS PRESCRIBING AND
DISPENSING OF OPIOID ANTAGONIST,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the
scope of practice of pharmacists to authorize pharmacists to
prescribe and dispense an opioid antagonist to individuals at risk
for an opioid overdose or the family members or caregiver of the
individual at risk for an opioid overdose.

Your Committee received testimony in support of this measure
from the Department of Health, Board of Pharmacy, University of
Hawai'i at Hilo, Kaiser Permanente Hawai'i, Drug Policy Forum of
Hawaii, Walgreen Co., Hawaii Substance Abuse Coalition, O'ahu
County Committee on Legislative Priorities of the Democratic Party
of Hawai'i, and nine individuals. Your Committee received comments
on this measure from the Hawaii Medical Service Association.

Your Committee finds that Hawaii is one of the last states
where opioid antagonists are not made widely available in the
community through pharmacies. Deaths caused by opioids are often
preventable with timely administration of an opioid antagonist,
such as naloxone. Opioid antagonists remain underutilized in many
overdose situations because many overdoses occur in places where



immediate access to opioid antagonists is unavailable and first responders cannot reach a patient in time. Your Committee further finds that the Board of Pharmacy's Pharmacy Working Group has determined that, in addition to family members, caregivers, or the individuals at risk for an opioid antagonist, further clarification is needed with respect to the name on the prescription written by the pharmacist and to whom the opioid antagonist can be dispensed. Allowing an opioid antagonist to be prescribed and dispensed in the name of the individual requesting it would make opioid antagonists more widely available in the community and aid in the reduction of drug overdoses in the State.

Your Committee notes that the Department of Health and interested stakeholders have had an opportunity to discuss potential amendments to this measure, to ensure that all pharmacies will be able to prescribe and dispense opioid antagonists for individuals at risk for an opioid overdose and make certain that opioid antagonists are widely available to anyone who requests them. Amendments to this measure are therefore necessary to incorporate this consensus language.

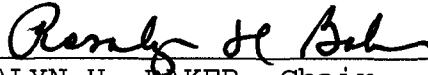
Accordingly, your Committee has amended this measure by:

- (1) Specifying that a pharmacist acting in good faith and exercising reasonable care may prescribe and dispense an opioid antagonist;
- (2) Inserting a definition for "at risk for an opioid overdose";
- (3) Inserting a sunset date of June 30, 2024; and
- (4) 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. 535, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 535, S.D. 1, and be placed on the calendar for Third Reading.



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




ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 535	CPH	2/22/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312				
<input checked="" type="checkbox"/> Pass, with amendments 2311				
<input type="checkbox"/> Hold 2310				
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)				/
KEOHOKALOOLE, Jarrett	/			
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.				/
THIELEN, Laura H.	/			
FEVELLA, Kurt				/
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes