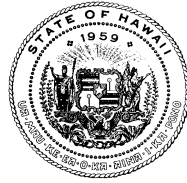


HB 1272 HD 1

Measure Title:	RELATING TO PRESCRIPTION DRUGS.
Report Title:	Pharmacies; Prescription Drugs; Return for Disposal
Description:	Authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs; prohibits pharmacies from redispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; requires the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs. (HB1272 HD1)
Companion:	SB808
Package:	None
Current Referral:	CPH
Introducer(s):	MIZUNO, BELATTI, BROWER, CABANILLA ARAKAWA, CACHOLA, GATES, HAR, HASHIMOTO, C. LEE, LOWEN, MATAYOSHI, MORIKAWA, NAKASHIMA, OHNO, QUINLAN, SAY, TAKAYAMA, TAKUMI, TARNAS, TOKIOKA, WARD, WILDBERGER, DeCoite, McKelvey, San Buenaventura



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of (HB 1272 HD 1)
RELATING TO PRESCRIPTION DRUGS**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: March 13, 2019

Room Number: 229

1 **Fiscal Implications:** None

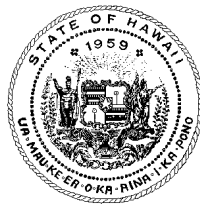
2 **Department Testimony:** The Alcohol and Drug Abuse Division (ADAD) supports this measure
3 and defers to the Board of Pharmacy of the Department of Commerce and Consumer Affairs on
4 implementation of HRS Chapter 461, including any amendments to current law or regulations
5 that may apply. We also defer to the Department of Public Safety, Narcotics Enforcement
6 Division (PSD) regarding implications for enforcement.

7 One of the goals of the Hawaii Opioid Initiative is to increase the amount of prescription
8 drugs taken back from the community by implementing at least two more year-round “take back”
9 sites on Oahu as a step to expand the collection effort statewide. This measure provides the
10 necessary structure for authorized collectors of controlled substances such as hospitals, clinics
11 with on-site pharmacies, retail pharmacies and law enforcement agencies to operate a statewide
12 take back system for disposal of unwanted controlled substances.

13 The ADAD continues to work in close collaboration with PSD, the Department of the
14 Attorney General and county law enforcement to implement takeback programs in each county
15 that comply with federal regulation.

16 Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Maria Cook
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON HOUSE BILL 1272, HOUSE DRAFT 1
RELATING TO PRESCRIPTION DRUGS.

by

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Commerce, Consumer Protection, and Health
Senator Rosalyn H. Baker, Chair
Senator Stanley Chang, Vice Chair

Wednesday, March 13, 2019; 9:00 a.m.
State Capitol, Conference Room 229

Chair Baker, Vice Chair Chang and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 1272, House Draft (HD) 1, which would authorize pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs with other prohibitions and requirements.

Disposal of unwanted or unnecessary prescription drugs reduces the risk of overdose, accidental poisoning, and environmental contamination. Last year, PSD worked collaboratively with the state Departments of Health and the Attorney General and the county police departments to implement a law enforcement-based medication drop box program. This was one of the goals of the Hawaii Opioid Initiative, and that law-enforcement based program has been extremely successful. HB 1272, HD 1 would allow pharmacies in Hawaii to take back prescription drugs for disposal and provide our community with more options to safely dispose of unwanted or unnecessary drugs.

Thank you for the opportunity to present this testimony.

Testimony of the Board of Pharmacy

**Before the
Senate Committee on Commerce, Consumer Protection, and Health
Wednesday, March 13, 2019
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
H.B. 1272, H.D. 1, RELATING TO PRESCRIPTION DRUGS**

Chair Baker and Members of the Committee:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill.

The purposes of this bill are to: (1) authorize pharmacies to accept the return of any prescription drug for disposal via secured collection receptacles or mail-back programs; (2) prohibit pharmacies from re-dispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; and (3) require the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs.

During the summer, the Board established a Pharmacy Working Group (Group), which consisted of major stakeholders in the pharmacy industry, including, but not limited to, representatives from both local independent and chain store pharmacies, the medical community, the Department of Health, the Department of Public Safety's Narcotics Enforcement Division, and the insurance industry. In particular, the Group discussed legislation introduced during the 2018 legislative session, including those measures that were enacted into law, measures that did not pass, and other measures that affected the pharmacy scope of practice.

For the Committee's information, one of the many topics discussed was the safe disposal of prescription drugs. The Group determined that this issue should be addressed to:

- Prevent unused or unwanted drugs, including controlled substances, from being diverted to an unintentional user;
- Ensure the safe disposal of prescription drugs to avoid polluting or contaminating landfills and oceans; and

Testimony of the Board of Pharmacy

H.B. 1272, H.D. 1

Page 2 of 2

- Give consumers more accessibility to pharmacies that receive these drugs through a secured collection receptacle and to obtain information on mail-back programs.

The Board believes that ensuring the safe and convenient disposal of unused or unwanted opioid drugs by participating pharmacies will help address the nationwide opioid epidemic.

Lastly, the Board respectfully requests that the effective date of the bill be amended from July 1, 2050, to upon approval.

Thank you for the opportunity to testify on this bill.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committee on Commerce, Consumer Protection, and Health
Wednesday, March 13, 2019 at 9:00 a.m., Rm 229

by
Marcia Sakai
Interim Chancellor
and
Carolyn Ma, Pharm D, BCOP
Dean
Daniel K. Inouye College of Pharmacy
University of Hawai'i at Hilo

HB 1272 HD1 – RELATING TO PRESCRIPTION DRUGS

Chair Baker, Vice Chair Chang, and members of the committee:

My name is Carolyn Ma, and I am the Dean for the UH Hilo Daniel K. Inouye College of Pharmacy (DKICP). University of Hawai'i at Hilo fully supports this bill with the proposed amendments that authorize certain pharmacies to collect prescription drugs for disposal via collection receptacles or mail-back programs; and prohibits pharmacies from redispensing or returning prescription drugs that have been returned for disposal.

Unused medications in households and at various patient care facilities expose residents to potential harm due to mistaken ingestion and increase the potential for theft and assault. In children ≤ 5 years old, medication overdoses are the most common.¹ Annually, more than 71,000 children under the age of 19 present to emergency rooms for unintentional overdoses of prescription and over the counter drugs annually.² The problem can add to drug abuse in young adults aged 18-25 (5.9%) while 3% of teens (12-17yrs) have the second highest rate.³ So called "pharm parties", social gatherings where prescription drugs are consumed with alcohol have gained popularity in recent years in both age groups.^{3,4}

In partnership with the Narcotics Enforcement Division, the DKICP has participated in annual Drug Take Back events since 2012 and annually we hold Drug Take Back events during our DKICP Annual Health Fair in Hilo. In 2014, we published in the Hawai'i Journal of Medicine and Public Health, our efforts to quantify and describe the types of returned medications.⁵ In two large drug take back events at the annual Good Life Senior Expo (3 days) and nine, one day events on O'ahu, Maui Kaua'i and Hawai'i Island, a total of over 8000 pounds of medications were recovered. Seven of the top 10 types of medications were classified as cardiovascular agents. The most common non-prescription medications included aspirin, naproxen and ibuprofen. Controlled substances comprised 10% of the returned medications, the most common was the combination hydrocodone/acetaminophen medications (CII).

The Drug Enforcement Agency (DEA) also continues to hold successful annual drug take back events and there are 10 drug return kiosks in the police stations on Maui, Kaua'i and Hawai'i Island. However, there remains need for additional mechanisms to return unused medications.

We support this initiative and appreciate the opportunity to provide testimony.

References

1. Schillie SF, Sheab N, Thomas KE, Budnitz DS, Medication overdoses leading to emergency department visits among children, *A. J. Pre. Med.* 2009;37(3):181-7.
2. Epidemic Responding to America's Prescription Drug Crisis. Executive Office of the President of the United States (2011)
3. Prescription Drug: abuse and Addiction Adolescents and young adults. National Institute on Drug Abuse
4. Leinwand D. Prescription place in teen culture. *USA Today.* June 13, 2006
5. Ma, CS, Batz, F, Taira Juarez, D, Ladao, L, Drug Take Back in Hawai'i: Partnership Between the University of Hawai'i Hilo College of Pharmacy and The Narcotics Enforcement Division. *HJMPH* 2014;73:1(26-31)



March 9, 2019

The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair
Senate Committee on Commerce, Consumer Protection, and Health

Re: HB 1272 HD1 – Relating to Prescription Drugs

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 1272, HD1, which authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs; prohibits pharmacies from redispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; requires the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs.

HMSA supports addressing the safe disposal of unused or unwanted opioid drugs. We believe this measure promotes patient safety by allowing pharmacies to accept prescription drugs for disposal in a way that is convenient and accessible for the public.

Thank you for the opportunity to provide testimony on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Pono Chong", with a stylized flourish at the end.

Pono Chong
Vice President, Government Relations



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 12, 2019

TO: Senator Rosalyn Baker
Chair, Senate Committee on Commerce, Consumer Protection and Health
Submitted Via Capitol Website

FROM: Mihoko Ito

RE: **H.B. 1272, H.D.1 – Relating to Prescription Drugs**
Hearing Date: Wednesday, March 13, 2019 at 9:00 a.m.
Conference Room: 229

Dear Chair Baker and Members of the Committee on Commerce, Consumer Protection and Health:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 19 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens **supports** H.B. 1272, H.D.1 which authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs, pursuant to federal law.

Walgreens has been a leader in finding solutions to combat prescription drug misuse. On the mainland, Walgreens has installed over 1500 drug takeback kiosks in states across the country.

Walgreens supports the language in this bill because it allows for pharmacies to participate in drug take back programs, provided that they follow the existing federal framework. Under the federal law, pharmacies can voluntarily establish drug or participate in mail back programs. To establish a kiosk, pharmacies must register and follow the rigorous procedures set forth by the Drug Enforcement Agency for handling and disposing the collected waste.

We would note that in other jurisdictions that are addressing this issue, drug manufacturers have been given responsibility for implementing drug take back collection, handling and disposal systems. In these systems, manufacturers are required to pay for drug take back systems, and may partner with pharmacies, hospitals or clinics to accomplish this goal. Walgreens believes that it would be valuable in future discussions to include all of the entities potentially involved in pharmaceutical waste collection including law enforcement, chain and community pharmacies, hospitals/clinics and drug manufacturers.

Thank you for the opportunity to submit testimony regarding this measure.

HB-1272-HD-1

Submitted on: 3/11/2019 4:39:39 PM

Testimony for CPH on 3/13/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cathy wilson	Testifying for Work Injury Medical Association of Hawaii	Support	No

Comments:



HB1272 HD1 Pharmacies Drug Take Back

COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH:

- Sen. Baker, Chair; Sen. Chang, Vice Chair
- Wednesday, Mar. 13, 2019: 9:00 am
- Conference Room 229

Hawaii Substance Abuse Coalition Supports HB1272 HD1:

GOOD MORNING CHAIRS, VICE CHAIRS AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of almost 40 non-profit alcohol and drug treatment and prevention agencies.

HSAC supports the *Pharmacy Working Group* efforts to develop policies and procedures that promote the safe disposal of prescription drugs within the pharmacy scope of practice.

- The Pennsylvania Department of Drug and Alcohol Programs developed a successful program for drug take-back that alleviated the health and safety concerns from the diversion and misuse of prescription drugs by helping people properly dispose of unused prescription medications.

The risk for unsafe storage in homes is that many young people who misuse prescription drugs report that their source can be family medicine cabinets. Keeping unused opioids or other common drugs of misuse in homes is no longer safe or responsible. The best response by people is to Lock Up – Don't Share – Safely Dispose.¹

This bill will greatly help people to safely dispose of potentially dangerous medications as well as help educate everyone about the dangers of misuse.

We appreciate the opportunity to provide testimony and are available for questions.

¹ https://www.ddap.pa.gov/Prevention/Pages/Drug_Take_Back.aspx

Michael J. Ayotte, R.Ph.
Vice President Government Affairs
1275 Pennsylvania Ave., NW
Suite 700
Washington, DC 20004

P: 202-772-3516
C: 804-337-4806

Michael.Ayotte@cvshealth.com

March 12, 2019

Senator Rosalyn Baker, Chair
Senator Stanley Chang, Vice Chair
Committee on Commerce, Consumer Protection and Health

**RE: HB 1272 HD1 Relating to Prescription Drugs – In support
March 13, 2019, 9:00 a.m., conference room 229**

Aloha Chair Baker, Vice Chair Chang and members of the Committee:

CVS Health is the nation's premier health innovation company helping people on their path to better health. Whether in one of its pharmacies or through its health services and plans, CVS Health is pioneering a bold new approach to total health by making quality care more affordable, accessible, simple and seamless. CVS Health is community-based and locally focused, engaging consumers with the care they need when and where they need it. We operate 72 pharmacies in Hawaii under the Long's banner. The Company has more than 9,800 retail locations, approximately 1,100 walk-in medical clinics, a leading pharmacy benefits manager with approximately 93 million plan members, a dedicated senior pharmacy care business serving more than one million patients per year, expanding specialty pharmacy services, and a leading stand-alone Medicare Part D prescription drug plan. CVS Health also serves an estimated 39 million people through traditional, voluntary and consumer-directed health insurance products and related services, including a rapidly expanding Medicare Advantage offering. This innovative health care model increases access to quality care, delivers better health outcomes and lowers overall health care costs.

We share the Hawaii State Legislature's concern that across the country, many lives in the communities we serve are being disrupted by opioid misuse. Supporting the prevention of opioid abuse requires the active involvement of stakeholders throughout the health care community, as well as law enforcement and regulatory agencies, and CVS Health is committed to being part of the solution.

For several years, as part of these enterprise efforts to fight opioid abuse, CVS Health has supported the *Medication Disposal for Safer Communities Program*, which provides police departments across the United States with an easy way to obtain a drug collection unit for their locations. Through this program, created with the Partnership for Drug-Free Kids, CVS Health has donated more than 940 medication disposal units to local police departments in 43 states, collecting more than 227 metric tons of unwanted medication. Beginning in 2017, CVS Health expanded its total disposal units to 1,550 kiosks, including the phase-in of over 750 additional disposal units in CVS Pharmacy locations across the country. To date, under this initiative, 762 in-store kiosks have been installed, which have collected 77 metric tons of medication.

As part of our expansion of drug disposal initiatives, CVS Health would like to offer its support for HB 1272 HD1, which we believe provides the appropriate regulatory framework to guide the installation of disposal units in Hawaii.

We ask for your favorable consideration in passing HB 1272 HD1. Thank you for your leadership on this important matter.

Should there be any questions, I may be reached at 202-772-3516 or by e-mail at Michael.Ayotte@cvshealth.com.

Sincerely,



Michael J. Ayotte, R.Ph.
Vice President Government Affairs

HB-1272-HD-1

Submitted on: 3/9/2019 1:23:49 PM

Testimony for CPH on 3/13/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wilson Datario	Individual	Support	No

Comments:

HB-1272-HD-1

Submitted on: 3/10/2019 8:13:19 AM

Testimony for CPH on 3/13/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chad Kawakami	Individual	Support	No

Comments:

My name is Chad Kawakami and I am an Assistant Professor of Pharmacy Practice with the Daniel K. Inouye College of Pharmacy and I support this bill.

This bill will go a long way toward protecting our community by providing everyone with a means of safe drug disposal. I have seen many times as a geriatric pharmacist how accumulation of old medication can lead to adverse outcome. I strongly support this bill.

Thank you,

Chad Kawakami Pharm.D, BCPS, CDE

HB-1272-HD-1

Submitted on: 3/10/2019 10:16:46 PM

Testimony for CPH on 3/13/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Chase	Individual	Support	No

Comments:

I am in support of HB1272. I am a nurse working in a facility that can not return medications to our dispensing facility. It is staggering to see the amount of medications that build and are supposed to be disposed of. This bill would allow for the facility to return the medication for disposal, versus the nursing staff trying to stay current with disposing of the medications using approved methods. The nursing staff has to prioritize patient care, and therefore, often medications build up in storage waiting to be disposed. In my opinion using nursing hours for medication disposal versus patient care is a waste of time. Returning medications to the pharmacy in my facility would free up nurses for patient care and reduce the amount of medications being stored at the facility. Pharmacies are better equipped to manage medications and it makes sense that they should dispose of them as well. If Auto parts stores will accept old car batteries for disposal pharmacies should accept back unused medications.

HB-1272-HD-1

Submitted on: 3/12/2019 8:04:16 AM

Testimony for CPH on 3/13/2019 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Wesley Sumida	Individual	Support	No

Comments:

Dear Chair Baker, Vice Chair Chang, and Committee Members,

I am a pharmacist and faculty member at the Daniel K. Inouye College of Pharmacy. I strongly support this bill which allows additional methods for safe medication disposal.

Thank you for this opportunity to submit testimony.

Wes Sumida