



March 28, 2019 at 9:45 am
Conference Room 016

Senate Committee on Judiciary

To: Chair Karl Rhoads
Vice Chair Glenn Wakai

From: Paige Heckathorn Choy
Director of Government Affairs
Healthcare Association of Hawaii

Re: **Testimony in Support**
HB 665 HD 2 SD 1, Relating to the Electronic Prescription Accountability System

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

Thank you for the opportunity to testify in **support** of this measure. In the 2018 legislative session, the legislature passed Act 153, which requires all prescribers who prescribe a Schedule II, III, or IV controlled substance to check the state's electronic prescription accountability system (better known as the Prescription Drug Monitoring Program, or PDMP), in order to reduce the risk of abuse of or addiction to a controlled substance, as needed to avoid harmful drug interactions, or as otherwise medically necessary. This legislation was passed amidst a national opioid crisis that is requiring lawmakers, providers, and the community to find ways to address access to these potentially dangerous drugs.

The Association's members have taken the charge of Act 153 seriously and have been working diligently to comply with the law. Indeed, many facilities are trying to find ways to make checking the PDMP as seamless as possible to ensure the highest level of patient care. However, in implementing the law, there were some areas highlighted as needing clarification to reflect actual clinical practice and workflow.

We are supportive of this legislation, in particular the sections that provide:

- Clarification that providers do not have to check the PDMP when a patient is receiving a drug directly under the supervision of a healthcare professional, with certain requirements to check if medically-indicated upon admission;
- An allowance for initial prescriptions to treat post-operative pain, with a three-day, non-refillable limitation on the prescription; and
- An exemption for prescriptions written for patients with a terminal illness receiving hospice or palliative care.

We will continue to work with our members to ensure the safety of our communities. Thank you for the opportunity to provide comments in support of clarifications to this important law.

Testimony of
Jonathan Ching
Government Relations Specialist

Before:
Senate Committee on Judiciary
The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair

March 28, 2019
9:45 a.m.
Conference Room 016

Re: HB 665, HD2, SD1 Relating to the Electronic Prescription Accountability System

Chair Rhoads, Vice Chair Wakai, and committee members, thank you for this opportunity to provide testimony on HB 665, HD2, SD1, which specifies that a health care provider shall not be required to consult the electronic prescription accountability system for patients in certain instances and clarifies that an informed consent agreement is not necessary for patients whose prescription will be directly administered under the supervision of a health care provider.

Kaiser Permanente Hawai'i SUPPORTS HB 665, HD2, SD1

Kaiser Permanente Hawai'i is Hawai'i's largest integrated health system that provides care and coverage for nearly 255,000 members. Each day, more than 4,500 dedicated employees and more than 550 Hawai'i Permanente Medical Group physicians come to work at Kaiser Permanente Hawai'i to care for our members at Moanalua Medical Center and our 27 medical clinics, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

HB 665, HD2, SD1 clarifies when a health care provider is required to consult the electronic prescription accountability system. In 2018, the Legislature passed Act 153, Session Laws Hawai'i, to require that prescribers of controlled substances check the electronic prescription accountability system, known as the prescription drug monitoring program (PDMP), prior to prescribing certain controlled substances.

While Kaiser Permanente Hawai'i generally supports prescribers checking the PDMP, we appreciate the legislature's consideration that the PDMP does not need to be consulted:

1. For a patient who is directly administered a drug under the supervision of a licensed health care provider;
2. When a patient is in post-operative care; provided that the prescription is limited to a three-day supply; and
3. When a patient has a terminal disease and is receiving hospice or other palliative care.

Mahalo for the opportunity to testify on this important measure.

March 28, 2019 at 9:45 am
Conference Room 016

Senate Committee on Judiciary

To: Chair Karl Rhoads
Vice Chair Glenn Wakai

From: Adventist Health Castle

Re: **Testimony in Support**
HB 665 HD 2 SD 1, Relating to the Electronic Prescription Accountability System

Castle is the primary health care facility for the Windward side of Oahu and is a full-service medical center offering a wide range of inpatient and outpatient services. We appreciate the opportunity to testify in **support of HB 665 HD 2 with amendments.**

We are supportive of the legislation and appreciate the clarification that: 1) providers do not have to check the PDMP when a patient is receiving a drug directly under the supervision of a healthcare professional; 2) an exemption for prescriptions written for hospice patients in order to facilitate more appropriate end-of-life care; and 3) the exemption for prescriptions of three days or less to treat pain post-surgery.

Thank you for the opportunity to provide comments in support of clarifications to this law.



THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Karl Rhoads, Chair
The Honorable Glenn Wakai, Vice Chair
Members, Committee on Judiciary
Paula Yoshioka

From: Paula Yoshioka, Vice President, Government Relations and External Affairs, The
Queen's Health Systems

Date: March 27, 2019

Hrg: Senate Committee on Judiciary Decision Making; Thursday, March 28, 2019 at 9:45 AM
in Room 016

Re: Support for H.B. 665, H.D. 2, S.D. 1 Relating to the Electronic Prescription
Accountability System

The Queen's Health Systems (Queen's) is a not-for-profit corporation that provides expanded health care capabilities to the people of Hawai'i and the Pacific Basin. Since the founding of the first Queen's hospital in 1859 by Queen Emma and King Kamehameha IV, it has been our mission to provide quality health care services in perpetuity for Native Hawaiians and all of the people of Hawai'i. Over the years, the organization has grown to four hospitals, 66 health care centers and labs, and more than 1,600 physicians statewide. As the preeminent health care system in Hawai'i, Queen's strives to provide superior patient care that is constantly advancing through education and research.

Queen's appreciates the opportunity to provide testimony in support of H.B. 665, H.D. 2, S.D. 1 relating to the electronic prescription accountability system. The measure clarifies that a health care provider does not need to consult the electronic prescription accountability system when a patient is in an inpatient setting or in hospice care. It also specifies that an informed consent agreement is not required for patients whose prescription will be directly administered under supervision of a health care provider. We also concur with the testimony submitted by the Healthcare Association of Hawaii and the amendment to strike Section 3 from the bill, page 4, lines 16-21 and page 5, lines 1-8.

Since the passage of Act 153, Queen's has dedicated resources to be in compliance and ensure that the state's electronic prescription accountability system is consulted, in order to reduce the potential risk of abuse or addiction to a controlled substance, as needed to avoid harmful drug interactions, or as otherwise medically necessary. Thank you for your time and attention to this important issue.

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.



HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814
Phone (808) 536-7702 Fax (808) 528-2376
www.hawaiimedicalassociation.org

LATE

To:
SENATE COMMITTEE ON THE JUDICIARY
Sen. Karl Rhodes, Chair
Sen. Glenn Wakai, Vice Chair

Date: March 28, 2019
Time: 9:45 a.m.
Place: Room 016
From: Hawaii Medical Association
Jerry Van Meter, MD, President
Christopher Flanders, DO, Executive Director

Re: HB 665 HD2 SD1 – Relating to the Electronic Prescription Accountability System
Position: Support

The Hawaii Medical Association supports HB 665 and the changes contained. This fine tuning of statute should aid in compliance and efficiency of PDMP usage by providers through easing of administrative requirements.

Thank you for allowing testimony on this issue.

HMA OFFICERS

President – Jerry Van Meter, MD President-Elect – Michael Champion, MD Secretary – Thomas Kosasa, MD
Immediate Past President – William Wong, Jr., MD Treasurer – Elizabeth A. Ignacio, MD
Executive Director – Christopher Flanders, DO

Thursday, March 28, 2019 at 9:45 AM
Conference Room 016

LATE

Senate Committee on Judiciary

To: Senator Karl Rhoads, Chair
Senator Glenn Wakai, Vice Chair

From: Michael Robinson
Vice President, Government Relations & Community Affairs

Re: **Testimony in Support of HB 665, HD2, SD1
Relating to The Electronic Prescription Accountability System**

My name is Michael Robinson, Vice President, Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health (HPH) is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

I write in support of HB 665, HD2, SD1 which makes amendments to the electronic prescription accountability system.

Act 153 which was passed in 2018 requires all prescribers who prescribe a Schedule II, III, or IV controlled substance to check the state's electronic prescription accountability system (better known as the Prescription Drug Monitoring Program, or PDMP). Its purpose was to reduce the risk of abuse of or addiction to a controlled substance. This legislation was passed amidst a national opioid crisis that is requiring lawmakers, providers, and the community to find ways to address access to these potentially dangerous drugs.

HPH has been working diligently to comply with the law, and in making checking the PDMP as seamless as possible to ensure the highest level of patient care. However, in implementing the law, some areas were identified as needing clarification to reflect actual clinical practice and workflow.

We are supportive of this measure, in particular the sections that provide:

- Clarification that providers do not have to check the PDMP when a patient is receiving a drug directly under the supervision of a healthcare professional and

- An exemption for prescriptions written for hospice patients, which can create a barrier to appropriate end-of-life care.

Thank you for the opportunity to testify.

LATE

HB-665-SD-1

Submitted on: 3/27/2019 8:01:18 PM
Testimony for JDC on 3/28/2019 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Democrats Legislative Priorities Committee	Support	No

Comments:

LATE

HB-665-SD-1

Submitted on: 3/28/2019 12:29:55 AM

Testimony for JDC on 3/28/2019 9:45:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Testifying for Drug Policy Forum of Hawaii	Comments	No

Comments:

Chair Rhoads, Vice Chair Wakai, Committee Members:

As we move forward with the requirement for prescribers to consult the state Electronic Prescription Accountability System, (also known as a Prescription Drug Monitoring Program, PDMP), we must continue to be mindful of unintended consequences that can negatively impact patients in genuine need of pain relief.

Those consequences tend to fall into two categories:

1. Prescribers refraining from prescribing due to perceived added labor when consulting the PDMP;
2. Patients turning elsewhere, including to illicit drugs laced with fentanyl, for relief from pain when their prescriptions are ended.

These are not hypothetical concerns, [see e.g. this report from the Cato Intitute regarding recent research](#).

[T]wo separate studies published online in JAMA Surgery on August 22 [2018] that examined two different restrictive opioid policies that fell victim to the Law of Unintended Consequences.

Accordingly, we appreciate the intent behind this bill as well as the amendments made to it and the Senate companion bill, SB807.

The Drug Policy Forum of Hawai'i appreciates the opportunity to provide these comments.