

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

**Testimony in SUPPORT of (SB 0807 SD 1 HD 1)**  
**RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM**

REPRESENTATIVE JOHN M. MIZUNO, CHAIR  
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 18, 2019

Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) supports this bill to exempt  
3 licensed health care providers from consulting the electronic prescription accountability system  
4 also known as the Prescription Drug Monitoring Program (PDMP) of the Department of Public  
5 Safety (PSD) when the patient is in an inpatient or hospital setting, or in hospice care. The DOH  
6 also supports the proposed exemption to not require an informed consent agreement for patients  
7 who are administered controlled substances under the supervision of a health care provider. The  
8 DOH also concurs with the amendments raised by PSD and others in SB 0807 SD 1 HD 1.

9 This measure aligns with the following prescriber education and pain management  
10 practice objectives of the Hawaii Opioid Action Plan (January 2019) that was developed by the  
11 Hawaii Opioid Initiative:

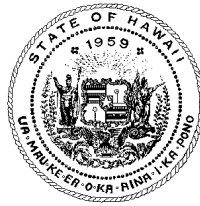
- 12 • In-Progress Objective 2-3a: “By December 2019, develop a standardized training on  
13 opioid-prescribing best practices and provide training to 50% of prescribers  
14 Statewide;”
- 15 • New Objective 2-2: “By December 2019, develop and recommend a plan for  
16 education for physicians specific to opioid prescribing and pain management  
17 practices that includes oversight to ensure that content remains relevant and current;”  
18 and
- 19 • In-Progress Objective 3-2: “By September 2018, develop a standardized framework  
20 for the collection, synthesis, and dissemination of data.”

1           The DOH supports a balanced implementation of this measure. The proposed exemptions  
2 promote both balance and faster relief for patients who are hospitalized or in hospice. Both  
3 exemptions also do not impact the PDMP whose purpose is to collect data on prescriptions  
4 dispensed in outpatient settings like doctor's offices or local pharmacies.

5           The DOH also defers to the PSD on the regulation and implementation of the proposed  
6 amendments to the Hawaii Uniform Controlled Substances Act.

7           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 C. Cook**  
Deputy Director  
Administration

**Jodie F. Maesaka-Hirata**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 807, SENATE DRAFT 1, HOUSE DRAFT 1  
RELATING TO THE ELECTRONIC PRESCRIPTION  
ACCOUNTABILITY SYSTEM.

by

Nolan P. Espinda, Director  
Department of Public Safety

House Committee on Judiciary  
Representative Chris Lee, Chair  
Representative Joy A. San Buenaventura, Vice Chair

House Committee on Consumer Protection and Commerce  
Representative Roy M. Takumi, Chair  
Representative Linda Ichiyama, Vice Chair

Wednesday, March 20, 2019; 2:05 p.m.  
State Capitol, Conference Room 329

Chairs Lee and Takumi, Vice Chairs San Buenaventura and Ichiyama, and Members of the Committees:

The Department of Public Safety (PSD) supports Senate Bill (SB) 807, Senate Draft (SD) 1, House Draft (HD) 1, which clarifies that a health care provider would not be required to consult the electronic prescription accountability system, more commonly known as the Prescription Drug Monitoring Program (PDMP), when the prescription will be directly administered under the supervision of a health care provider or for patients who qualify for hospice care. SB 807, SD 1, HD 1 would further clarify that an informed consent agreement is not required for patients whose prescription will be directly administered under the supervision of a health care provider.

The need for an informed consent agreement is also reduced when a prescription is directly administered under the supervision of a health care provider.

Thank you for the opportunity to present this testimony.



March 20, 2019 at 2:05 pm  
Conference Room 329

**House Committee on Judiciary**  
**House Committee on Consumer Protection and Commerce**

To: Chair Chris Lee  
Vice Chair Joy A. San Buenaventura

Chair Roy M. Takumi  
Vice Chair Linda Ichiyama

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

Re: **Testimony in Support**  
**SB 807 SD 1 HD 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 SB 807 SD 1 HD 1**. 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 strongly support this legislation, particularly 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;
- An exemption for prescriptions written for hospice patients, which can create a barrier to appropriate end-of-life care; and
- An exemption for prescriptions of three days or less to treat pain post-surgery.

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:  
House Committee on Judiciary  
The Honorable Chris Lee, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair

House Committee on Consumer Protection & Commerce  
The Honorable Roy M. Takumi, Chair  
The Honorable Linda Ichiyama, Vice Chair

March 20, 2019  
2:05 p.m.  
Conference Room 329

**Re: SB 807, SD1, HD1, Relating to the Electronic Prescription Accountability System**

Chair Lee, Chair Takumi, and members of the joint committees, thank you for this opportunity to provide testimony on SB 807, SD1, HD1, which specifies that a health care provider shall not be required to consult the electronic prescription accountability system for patients in certain instances.

**Kaiser Permanente Hawai'i SUPPORTS SB 807, SD1, HD1.**

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 600 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.

SB 807, SD1, HD1 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.



## THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Chris Lee, Chair  
The Honorable Joy A. San Buenaventura, Vice Chair  
Members, Committee on Judiciary

The Honorable Roy M. Takumi, Chair  
The Honorable Linda Ichiyama, Vice Chair  
Members, Committee on Consumer Protection and Commerce

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

Date: March 19, 2019

Hrg: House Committee on Judiciary and Committee on Consumer Protection and Commerce  
Joint Hearing; Wednesday, March 20, 2019 at 2:05 pm in Room 329

Re: **Support for S.B. 807, S.D.1, H.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 S.B. 807, S.D. 1, H.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, is receiving end-of-life care, and provides for an exemption of three days of less to treat pain post-surgery. We also concur with the testimony submitted by the Healthcare Association of Hawaii.

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.*



**SB-807-HD-1**

Submitted on: 3/19/2019 9:27:47 AM

Testimony for JUD on 3/20/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Linda Rosen, M.D., M.P.H.	Hawaii Health Systems Corporation	Support	Yes

Comments:

We support this measure which clarifies important legislation from last year.

Wednesday, March 20, 2019 at 2:05 PM  
Conference Room 329

**House Committee on Judiciary**

To: Representative Chris Lee, Chair  
Representative Joy San Buenaventura, Vice Chair

**House Committee on Consumer Protection and Commerce**

To: Representative Roy Takumi, Chair  
Representative Linda Ichiyama, Vice Chair

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

**Re: Testimony in Support of SB 807, SD1, HD1  
Relating to Pharmacy Electronic Prescription Accountability System**

---

My name is Michael Robinson, Vice President, Government Relations & Community Affairs at Hawai'i Pacific Health. Hawai'i Pacific Health 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 SB 807, SD1, HD1** .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.

Thank you for the opportunity to testify.