

**Testimony of the Board of Pharmacy**

**Before the  
House Committee on Judiciary  
Tuesday, February 26, 2019  
2:05 p.m.  
State Capitol, Conference Room 325**

**On the following measure:  
H.B. 700, H.D. 1, RELATING TO PHARMACISTS PRESCRIBING  
AND DISPENSING OF OPIOID ANTAGONIST**

Chair Lee 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 with suggested amendments.

The purpose of this bill is to clarify the scope of practice of the pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members, and caregivers of opioid patients.

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 as law, those 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 Act 154, Session Laws of Hawaii (SLH) 2018. Act 154, SLH 2018 authorizes pharmacists to prescribe, dispense, and provide education relating to opioid antagonists to individuals at risk of opioid overdose and to family members and caregivers of individuals at risk of opioid overdose without the need for a written, approved collaborative agreement; subject to certain conditions.

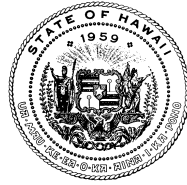
The Group determined that in addition to family members, caregivers, and the individuals at risk of an opioid antagonist, further clarification is needed with respect to the name on the prescription written by the pharmacist and to whom the opioid

antagonist can be dispensed. The Group appreciates the bill's inclusion of the language "or in the name of the individual who is requesting the opioid antagonist . . ." on page 2, lines 12-13, as the Group previously recommended this language. This amendment would allow for greater access to the opioid antagonist and would maintain the privacy of the individual who is at risk of an opioid overdose and who is "requesting" the opioid antagonist.

Further, due to testimony submitted on this measure before the House Committees on Health and Intrastate Commerce, the Board respectfully requests the following amendments to H.D.1:

- Subsection (a) on page 2, lines 2-8 should be amended to read as follows: "(a) A pharmacist, acting in good faith and exercising reasonable care, may prescribe and dispense an opioid antagonist to an individual who is at risk for an opioid overdose or a family member or caregiver of an individual who is at risk of an opioid overdose regardless of whether the individual has evidence of a previous prescription for an opioid antagonist from a practitioner authorized to prescribe opioids."
- Page 3, line 16 should be amended to read as follows: "This Act shall take effect upon its approval and shall be repealed on June 30, 2024."

Thank you for the opportunity to testify on this bill.



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

**Testimony in SUPPORT of (HB 0700 HD 1)**  
**RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID**  
**ANTAGONIST**

REPRESENTATIVE CHRIS LEE, CHAIR  
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 26, 2019      Room Number: 325

1    **Fiscal Implications:** None

2    **Department Testimony:** The Department of Health (DOH) defers to the Board of Pharmacy on  
3    the implementation of HB 0700 HD 1 however we offer strong support the intent of this measure  
4    since it aligns with objectives from the Hawaii Opioid Initiative. This measure amends  
5    §461-11.8, Hawaii Revised Statutes to enable pharmacists to prescribe an opioid antagonist in  
6    the name of the individual who is requesting the opioid antagonist and to allow pharmacist to  
7    prescribe an opioid antagonist to any individual who requests them.

8           Pursuant to Act 154 HSL 2018 which HB 0700 HD 1 amends, so far these steps were  
9    achieved:

- 10           1. The University of Hawaii School of Pharmacy has developed a training program  
11           for pharmacists approved by the Accreditation Council for Pharmacy Education  
12           (ACPE). To date twenty-five (25) pharmacists have taken this training and others  
13           have obtained ACPE-approved training through other programs.
- 14           2. The Hawaii Opioid Initiative's Pharmacy-Based Interventions Workgroup has  
15           developed fully-vetted written educational material on risk factors of opioid  
16           overdose, signs of an overdose, overdose response steps, and the use of the opioid  
17           antagonist.

1           The DOH also supports adding other individuals who request an opioid antagonist. The  
2 U.S. Food and Drug Administration encourages broader dissemination of opioid antagonists to  
3 combat the U.S. opioid crisis, and HB 0700 HD 1 is consistent with that goal.

4           Thank you for the opportunity to provide testimony.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Judiciary  
Tuesday, February 26, 2019 at 2:05 p.m., Room 325

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

HB 700 HD1 – RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF  
OPIOID ANTAGONIST

Chair Lee, Vice Chair San Buenaventura and members of the committee:

My name is Carolyn Ma, I am the Dean for the Daniel K. Inouye College of Pharmacy (DKICP). The University of Hawai'i at Hilo fully supports this bill that will authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members and caregivers of patients who may be at risk for an opioid overdose. We support the amendment that allows for the prescription for the opioid antagonist be in the name of the individual being treated with the opioid antagonist, or in the name of the individual who is requesting the opioids antagonist or "Opioid Antagonist Recipient" or "OAR".

Thank you for this opportunity to provide testimony.

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

February 26, 2019  
2:05 p.m.  
Conference Room 325

**Re: HB700 HD1, Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist.**

Chair Lee, Vice Chair San Buenaventura, and committee members, thank you for this opportunity to provide testimony on HB700 HD1, which clarifies the scope of registered pharmacists' practices by allowing registered pharmacists to prescribe, dispense, and provide related education on opioid antagonists.

**Kaiser Permanente Hawai'i SUPPORTS HB700 HD1.**

Kaiser Permanente Hawai'i unequivocally agrees with the Legislature's finding that deaths caused by opioids are often preventable via timely administration of an opioid antagonist such as naloxone and is firmly committed to empowering health care professionals, such as pharmacists, who can safely provide naloxone and related education about the risks of opioid overdose.

HB700 HD1 further clarifies Act 154 Session Laws of Hawai'i 2018, which authorized pharmacists to prescribe and dispense opioid antagonists. Act 154 was passed to build upon Act 68, Session Laws of Hawai'i 2016, in which the Legislature took several steps to reduce opioid-related drug overdoses in the State by encouraging the use of opioid antagonists to assist individuals experiencing or at risk of experiencing an opioid-related drug overdose.

Kaiser Permanente notes that HB700 HD1 will help to address objectives in the *Hawaii Opioid Initiative Action Plan*, which is a statewide road map for prevention and treatment of opioid and other substance misuse issues. One of the key focus areas pertains to prevention and pharmacy-based interventions. Specifically, it will help in furtherance of Object 5-1b, which seeks to "modify Hawaii Revised Statutes to allow pharmacists prescriptive authority to prescribe Naloxone to patients and **community members** to increase access to life-saving medication" (emphasis added).<sup>1</sup>

Thank you for the opportunity to testify on this important measure.

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<sup>1</sup> *The Opioid Initiative 2.0: A Statewide Response to Opioid Use and Other Substance Misuse*, page 17, available at: [https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative\\_2.pdf](https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative_2.pdf).

**HB-700-HD-1**

Submitted on: 2/25/2019 2:04:02 PM

Testimony for JUD on 2/26/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

DATE: February 25, 2019

TO: Representative Chris Lee  
Chair, House Committee on Judiciary

*Submitted Via Capitol Website*

FROM: Mihoko Ito

RE: **H.B. 700, H.D.1 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist**  
**Hearing Date: Tuesday, February 26, 2019, 2:05 pm**  
**Conference Room: 325**

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Dear Chair Lee and Members of the Committee on Judiciary:

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 is in **strong support** of H.B. 700, H.D.1, which seeks to clarify the name on the prescription for an opioid antagonist by allowing pharmacists to prescribe and dispense opioid antagonists to patients, family members or caregivers of an individual who is at risk for an opioid overdose.

This measure addresses an implementation issue in Act 154 (2018) that was passed last year by making clear that pharmacists may prescribe and dispense an opioid antagonist in the name of the individual requesting it. Expanding the availability of this medication is an essential part of the public health response to the opioid epidemic. Without this clarifying language, opioid antagonists cannot be made widely available to individuals at risk for an opioid overdose and those who are in contact with them.

Hawaii is one of the last states where opioid antagonists are not made widely available to the community via pharmacies, and yet community involvement and training in preventing opioid overdoses is essential. 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. Allowing this medication to be prescribed and dispensed in the name of the individual requesting it would make opioid antagonists more widely available in the community to aid in the reduction of drug overdoses in this state.

Walgreens is committed to comprehensive efforts to combat drug abuse. Nationally, Walgreens is engaged in a comprehensive plan to combat drug abuse by stocking Narcan®, an FDA-approved nasal form of naloxone, in its 8,000 pharmacies across the



nation. Pharmacies play a key role in dispensing opioid antagonists because of the accessibility of pharmacies throughout the community, and because pharmacists are trusted, knowledgeable, accessible members of the community. Walgreens believes this bill is one way in which Hawaii can help to address opioid overdoses in the state.

We note that we have been working with the Board of Pharmacy and other stakeholders on the specifics of this bill, and fully support the amendments proposed by the Board before this Committee. These amendments will ensure that all pharmacies will be able to prescribe and dispense opioid antagonists when acting in good faith and exercising reasonable care, and will make opioid antagonists widely available to anyone who requests them. It will also allow for the Board of Pharmacy and Department of Health to informally monitor and evaluate the implementation of the program and provide appropriate feedback regarding implementation of the bill.

Thank you for the opportunity to submit testimony in strong support of this bill.

February 25, 2019

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

Re: HB 700, HD1 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist

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

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 700, HD1, which clarifies the scope of practice of a pharmacist to authorize pharmacists to prescribe and dispense an opioid antagonist to patients, and family members and caregivers of opioid patients.

HMSA appreciates the intent of this Bill. In the last week, stakeholders have met on this bill and agreed to revised language. We respectfully ask the committee to adopt the following amendments:

- We recommend that Section 2(a) be amended to read as follows:

A pharmacist, acting in good faith and exercising reasonable care, may prescribe and dispense an opioid antagonist to an individual who is at risk of an opioid overdose regardless of whether the individual has evidence of a previous prescription for an opioid antagonist from a practitioner authorized to prescribe opioids.

- Finally, we ask that a sunset date of June 30, 2024 for this bill and Act 154, SLH 2018 be included in this measure, so that we have an opportunity to determine if the goals intended by this measure and the underlying law have been met.

Thank you for allowing us to express our concerns on HB 700, HD1. Your consideration of our comments is appreciated.

Sincerely,



Pono Chong  
Vice President, Government Relations

**HB-700-HD-1**

Submitted on: 2/26/2019 11:07:08 AM

Testimony for JUD on 2/26/2019 2:05:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl Bergquist	Drug Policy Forum of Hawaii	Support	No

Comments:

The Drug Policy Forum of Hawai'i strongly supports this measure to continue expanding the access to naloxone, an opioid antagonist that can reverse an overdose, in Hawai'i. We pushed for Act 68 of 2016 that first extended this access to community-based organizations, like the Hawai'i Health and Harm Reduction Center (then the CHOW Project), who are best poised to help some segments of the at-risk community. This bill complements Act 154 of 2018 and would reach an additional group, loved ones and family members of at-risk individuals. Upon enactment, they could more easily procure naloxone in their local pharmacy and help prevent at-home overdoses. Mahalo for the opportunity to testify.

**HB-700-HD-1**

Submitted on: 2/23/2019 1:14:51 PM

Testimony for JUD on 2/26/2019 2:05:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Comments	No

Comments:

Missing is the most important participant and that is the medical doctor prescribing the medication. Very recent history reveal, Operation Hypocritical Oath by DEA, a needed layer of accountability that is missing.