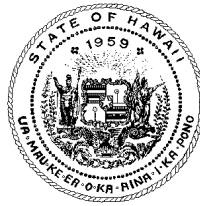


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TESTIMONY ON SENATE BILL 2917, SENATE DRAFT 1
RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

by

Nolan P. Espinda, Director

Senate Committee on Judiciary
Senator Karl Rhoads, Chair
Senator Jarrett Keohokalole, Vice Chair

Tuesday, February 25, 2020; 12:30 p.m.
State Capitol, Conference Room 016

Chair Rhoads, Vice Chair Keohokalole, and Members of the Committee:

The Department of Public Safety (PSD) **supports** Senate Bill (SB) 2917, Senate Draft (SD) 1, which updates section 329-104(c), Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system (EPAS), more commonly known as the Prescription Drug Monitoring Program (PDMP).

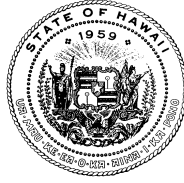
PSD supports SB 2917, SD 1, for several important reasons, the most important being that this measure aligns with the goals of the Hawaii Opioid Initiative. First, SB 2917, SD 1, clarifies that an advance practice registered nurse (APRN) has the authority to access information stored on the PDMP. APRNs are already mandated to use the PDMP when they prescribe controlled substances in certain situations.

Second, SB 2917, SD 1, clarifies that a pharmacist may access the PDMP to check for information regarding a customer being served. Currently, pharmacists may query a customer in the PDMP only when they suspect that a violation of law is occurring. The ability for a pharmacist to check the PDMP before dispensing a controlled substance, without first suspecting a violation of the law, is best practice for every pharmacist.

Third, SB 2917, SD 1, would allow authorized employees of the State Department of Human Services, Med-Quest Program, which manages the federal Medicaid Program in Hawaii, to access information in the PDMP. Allowing Med-Quest staff to access the PDMP provides additional checks and balances to ensure appropriate billing for services, appropriate prescribing, and treatment access for Medicaid members. Further, the federal Medicaid Program has instituted new efforts to combat the nationwide opioid program. As a result, PSD has been working closely with the State Med-Quest Office to cooperatively combat the national opioid problem.

Finally, SB 2917, SD 1, would allow licensed healthcare providers or delegates of such providers employed by the United States Department of Veterans Affairs to access the PDMP. This allowance is requested because on January 29, 2020, PSD was notified that the federal government passed a new law called the "Mission Act," which requires that every state provide access to their PDMPs for Department of Veterans Affairs licensed healthcare providers, and their delegates, without exception. This will make Hawaii's law consistent with federal law.

Thank you for the opportunity to testify on this measure.



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Testimony in SUPPORT of S.B. 2917 S.D. 1
RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: February 25, 2020

Room Number: 016

1 **Department Position:** The Department of Health (Department) supports this measure.

2 **Department Testimony:** The subject matter of this measure falls within the scope of the
3 Department's Behavioral Health Administration (BHA) whose statutory mandate is to assure a
4 comprehensive statewide behavioral health care system by leveraging and coordinating public,
5 private and community resources. Through the BHA, the Department is committed to carrying
6 out this mandate by reducing silos, ensuring behavioral health care is readily accessible, and
7 person-centered. The BHA's Alcohol and Drug Abuse Division (ADAD) provides the following
8 testimony on behalf of the Department.

9 The Department supports this initiative by the Department of Public Safety to increase Hawaii's
10 public health surveillance capacity by amending HRS §329-104 to licensed healthcare providers
11 and their delegates at Hawaii Veteran's Administration (VA) facilities, advanced practice
12 registered nurses, and authorized employees of the Department of Human Services, MedQUEST
13 Division (MQD) to access information stored in the electronic prescription accountability system
14 (EPAS). This measure also aligns with the following objectives of the Hawaii Opioid Initiative:

- 15 • By December 2020, propose legislation to amend administrative rules and reduce over-
- 16 prescribing or prescribing practices that are of concern (separate from law enforcement);
- 17 • By December 2020, adapt plans used in other states for Hawai'i to educate physicians
- 18 specific to opioid prescribing and pain management practices with continued oversight to
- 19 ensure information is current.

- 1 • Establish three memoranda of understanding or other agreements for interdepartmental
2 data sharing;
- 3 • Disseminate quarterly surveillance data in report form through a data dashboard, to all
4 key government agencies, community partners, HOI stakeholders, and the Centers for
5 Disease Control and Prevention; and
- 6 • Continue to collaborate with PSD’s Narcotics Enforcement Division for EPAS utilization
7 and enhancements.

8 Last year the Legislature passed SB1486 CD1 (later Act 230 SLH 2019) which allowed
9 authorized employees of ADAD and the Emergency Medical Services and Injury Prevention
10 Branch to use the EPAS for public health surveillance. Act 230 SLH 2019 fulfilled one of the
11 early objectives of the HOI.

12 ADAD is working more closely with MQD to expand contractual services and staffing provided
13 by the Hawai’i Coordinated Access Resource Entry System, or Hawai’i CARES initiative that
14 started October 2019. Expanded VA prescriber usage will elevate the EPAS to a “mainstream”
15 surveillance tool and provide more opportunities for prescriber education and boost system user
16 and registration rates. Allowing MQD to use the EPAS for surveillance provides additional
17 checks and balances to ensure appropriate billing for services and appropriate prescribing and
18 treatment access for Medicaid members.

19 Thank you for the opportunity to testify.