

Testimony of the Board of Pharmacy

**Before the
Senate Committee on Commerce, Consumer Protection, and Health
Tuesday, February 11, 2020
9:00 a.m.
State Capitol, Conference Room 229**

**On the following measure:
S.B. 30, S.D. 1, RELATING TO HEALTH**

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 offers comments on this bill.

The purposes of this bill are to require pharmacies to: (1) provide written notice to patients advising them of certain risks associated with not properly disposing of unwanted or expired drugs; (2) make available certain drug disposal options; and (3) provide written informational materials concerning available drug disposal options.

For the Committee's information, Act 183, Session Laws of Hawaii 2019, authorized pharmacies to utilize disposal receptacles for consumers to dispose of expired and unused prescription drugs, including controlled substances. The Board understands that during this process, diversion can occur during the process of shipping the drugs to a reverse distributor on the mainland.

The Board has concerns that this bill will adversely affect the workload and resources for community or independent pharmacies and therefore requests the opportunity to develop language with other stakeholders to avoid these anticipated adverse consequences. Several years ago, the Board established a pharmacy working group to address similar issues. The working group consisted of members from national chain store pharmacies, independent local pharmacies, representatives from the insurance industry, the Department of Public Safety's Narcotics Enforcement Division, the Federal Drug Enforcement Agency, and the Department of Health.

The Board respectfully requests reconvening the pharmacy working group to determine which destruction methods are available for the controlled substances included in this bill, and to consult with the Department of Health's Solid and Hazardous Waste Branch to determine if these methods are indeed safe for the environment.

Thank you for the opportunity to testify on this bill.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before
Senate Committee on Commerce, Consumer Protection, and Health
Tuesday, February 11, 2020 at 9:00 a.m., Rm 229

By

Bonnie Irwin
Chancellor

And

Carolyn Ma, PharmD, BCOP
Dean

Daniel K. Inouye College of Pharmacy
University of Hawai'i at Hilo

SB 30 SD1 – RELATING TO HEALTH

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

Thank you for the opportunity to submit testimony on SB 30 SD1. The University of Hawai'i at Hilo supports the intent of this bill to provide written notice to patients advising them of risks associated with improper disposal of unwanted or expired drug as well as the growing list of methods by which disposal or return may occur throughout the state.

We recommend working with the Hawai'i State Board of Pharmacy Working Group to come to a logistically amenable method to provide this patient information so as to not hinder operations or workflow or cause unnecessary expense to the pharmacy. The Daniel K. Inouye College of Pharmacy would be more than willing to participate in this process with the working group.

We appreciate the opportunity to submit testimony.

Testimony of
Jonathan Ching
Government Relations Manager

LATE

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

February 11, 2020
9:00 a.m.
Conference Room 229

Re: SB30 SD1, Relating to Health

Chair Baker, Vice Chair Chang, and committee members, thank you for this opportunity to provide testimony on SB30 SD1, which requires pharmacies to provide written notice to patients advising them of certain risks associated with not properly disposing of unwanted or expired drugs, make available certain drug disposal options, and provide written informational materials concerning available drug disposal options.

Kaiser Permanente Hawai‘i offers the following COMMENTS on SB30 SD1.

We support the intent of SB30 SD1 to promote public health and safety by educating patients about proper disposal of unused or expired controlled substances and make available to patients certain disposal options.

However, we believe as drafted, SB30 SD1 may adversely affect operational resources at certain pharmacies. At Kaiser Permanente Hawai‘i, our current practice already accounts for most of what is being sought in SB30 SD1. We are committed to providing opportunities for anyone to dispose of unwanted prescription medication in a safe, environmentally appropriate, and accountable manner. In furtherance of this commitment, all of Kaiser Permanente Hawai‘i’s outpatient pharmacies provide “mail back” postage-paid envelopes that can be used to send unwanted medications to a registered pharmaceutical waste handler, which is an “authorized collector” under federal rules, for disposal in an environmentally safe manner in accordance with federal and state regulations.

Furthermore, we include “medication disposal” information on all patient After Visit Summary sheets following an appointment with their provider:

Medication Disposal

It is not safe to keep unused medications in your home because they can cause accidental poisonings or may be misused. There is an easy, safe, and no-cost way to return leftover medication. Please go to the nearest Kaiser Permanente pharmacy to ask for a **Seal & Send Mailer**.

Finally, if the committee would like to continue to move SB30 SD1 forward, we would recommend it be a proposal considered by the Board of Pharmacy Working Group during the legislative interim.

Mahalo for the opportunity to testify on this important measure.



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

LATE

DATE: February 10, 2020

TO: Senator Rosalyn Baker
Chair, Committee on Commerce, Consumer Protection, and Health

FROM: Tiffany Yajima

RE: **S.B. 30, SD1 – Relating to Health**
Hearing Date: Tuesday, February 11, 2020 at 9:00a.m.
Conference Room: 229

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

We submit these **comments** 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.

This measure would require pharmacies, when dispensing controlled substances, to 1) provide patients with materials on the risks of improper disposal, 2) make a disposal option available to patients at the time of dispensing, subject to specific disposal requirements, and 3) provide patients with written information on how to safely disposal of unwanted or unused medications. If a needle or syringe is dispensed or sold, the pharmacy shall also provide patient with written materials on safe disposal methods.

This measure also provides that a pharmacy accepting for disposal any prescription drugs other than those identified in subsection (a) of the bill shall use secured collection receptacles that comply with federal regulations or shall use a mail back program.

Walgreens supports the intent of this measure, but has concerns about several provisions, and submits the following comments for consideration.

Walgreens suggests a clarifying amendment to make clear that if a pharmacy decides to take back drugs then a secured receptacle or mail back program is required. Currently, Walgreens pharmacies in Hawaii are not equipped to take back unused or unwanted prescription medications. Walgreens stores do, however, provide free Dispose Rx packets to customers upon their request to take home and dispose of unwanted medications. This packet is available to patients and would comply with the requirements of this legislation.

Finally, Walgreens is concerned that the written notification requirements for informational materials to be provided to each patient at the time of dispensing may

create additional operational burdens on pharmacies. As part of the pharmacy working group under the Board of Pharmacy, Walgreens would be happy to work with the Board and this committee as this measure continues to move through the legislative process.

Thank you for the opportunity to submit these comments.