

STATE OF HAWAII
DEPARTMENT OF HEALTH
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WRITTEN
TESTIMONY ONLY

Testimony in SUPPORT of SB 1191
RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON HEALTH

Hearing Date: 2/10/2021

Room Number: Videoconference

1 **Fiscal Implications:** None

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 allow prescribers, dispensers
11 and pharmacists at Hawaii Veteran's Administration (VA) facilities and authorized employees of
12 the Department of Human Services, Med-QUEST Division (MQD) to access information stored
13 in the electronic prescription accountability system (EPAS). This measure also aligns with the
14 following objectives of the Hawaii Opioid Initiative:

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- Propose legislation to amend administrative rules and reduce over-prescribing or
16 prescribing practices that are of concern (separate from law enforcement);
 - Adapt plans used in other states for Hawai'i to educate physicians specific to opioid
17 prescribing and pain management practices with continued oversight to ensure
18 information is current.
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1 • Continue to collaborate with NED for EPAS utilization and enhancements.

2 The Legislature passed SB1486 CD1 (later Act 230 SLH 2019) which allowed authorized
3 employees of ADAD and the Emergency Medical Services and Injury Prevention Branch to use
4 the EPAS for public health surveillance. Act 230 SLH 2019 fulfilled one of the early objectives
5 of the Hawaii Opioid Initiative.

6 The ADAD is working more closely with MQD to expand contractual services and staffing
7 provided by the Hawai'i Coordinated Access Resource Entry System, or Hawai'i CARES.

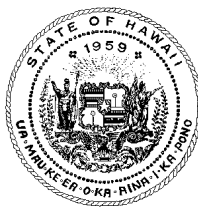
8 Expanded VA prescriber usage will elevate the EPAS to a “mainstream” surveillance tool and
9 provide more opportunities for prescriber education and boost system user and registration rates.

10 Allowing MQD to use the EPAS for surveillance provides additional checks and balances to
11 ensure appropriate billing for services and appropriate prescribing and treatment access for
12 Medicaid members.

13 **Offered Amendments:** None

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

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TESTIMONY ON SENATE BILL 1191
RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

By
Max N. Otani, Director

Senate Committee on Health
Senator Jarrett Keohokalole, Chair
Senator Rosalyn H. Baker, Vice Chair

Wednesday, February 10, 2021; 1:00 p.m.
Via Videoconference

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

The Department of Public Safety (PSD) **supports** Senate Bill (SB) 1191, which updates Section 329-104(c), Hawaii Revised Statutes (HRS), to clarify that Advance Practice Registered Nurses (APRN), Pharmacists checking for information while serving a customer, authorized staff of the Department of Human Services MedQuest program, and controlled substances prescribers, dispensers, and pharmacists employed by the United States Department of Veterans Affairs, who submit data, may access information stored in the electronic prescription accountability system (EPAS), more commonly known as the Prescription Drug Monitoring Program (PDMP).

The impetus for this measure is to align with and support the goals of the Hawaii Opioid Initiative. APRNs are already mandated to use the PDMP when they prescribe controlled substances in certain situations, and SB 1191 provides clarification of that authority.

In addition, SB 1191 clarifies that a pharmacist may access the PDMP to check for information regarding a customer being serving. Currently, pharmacists may query a customer in the PDMP only when they suspect that a violation of law is occurring.

This bill would enable pharmacists to check the PDMP before dispensing a controlled substance, without first suspecting a violation of the law, which is recognized as a best practice for every pharmacist.

SB 1191 would also allow authorized employees of the State Department of Human Services MedQuest Program, which manages the federal Medicaid Program in Hawaii, to access information in the PDMP. Allowing MedQuest staff to access the PDMP would provide 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, and the authorization enabled in SB 1191 is an example of PSD's close cooperation with the State MedQuest Office to combat the national opioid problem.

Finally, SB 1191 proposes to allow controlled substances prescribers, dispensers, and pharmacists employed by the United States Department of Veterans Affairs, who submit data, as described in Section 329-101, HRS, to access the electronic prescription accountability system. This allowance is proposed to assist the federal government in the implementation of the "Mission Act," which requires that Hawaii provide access to the PDMP for the Department of Veterans Affairs. This allowance is recommended to be consistent with this new federal law.

Thank you for the opportunity to testify on this measure.