

Honolulu, Hawaii

FEB 18 2022

RE: S.B. No. 3136  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 3136  
entitled:

"A BILL FOR AN ACT RELATING TO THE ELECTRONIC PRESCRIPTION  
ACCOUNTABILITY SYSTEM,"

begs leave to report as follows:

The purpose and intent of this measure is to require a  
dispenser of a controlled substance to either:

- (1) Report the filling of a controlled substance  
prescription to the State's Electronic Prescription  
Accountability System in real time; or
- (2) Report "zero" not less than once every seven days if no  
controlled substances prescriptions are filled.

Your Committee received testimony in support of this measure  
from the Department of Public Safety.

Your Committee finds that the Electronic Prescription  
Accountability System (EPAS) is the State's database for  
controlled substance prescriptions dispensed to patients. Under  
existing law, dispensers of controlled substances, like  
pharmacists, are required to report the dispensing of a controlled  
substance to the EPAS once every seven days. However, the  
national trend is to require real-time reporting of dispensed



controlled substances. Up-to-date information better supports the prescribing and dispensing decisions of physicians, advanced practice registered nurses with prescriptive authority, and pharmacists. Additionally, requiring a dispenser to report "zero" if no controlled substances prescriptions are filled will allow the State to determine who is and is not dispensing controlled substances, and who is not complying with the State's reporting requirements.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3136, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



ARRETT KEOHOKALOLE, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes  
Committee on Health  
HTH**

Bill / Resolution No.:*	Committee Referral:	Date:
<b>SB3136</b>	<b>HTH, CPN</b>	<b>2-14-2022</b>

The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.				✓
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>2</b>

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature:  
*Rosalyn H Baker*

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\*Only one measure per Record of Votes