

Testimony of the Board of Pharmacy

**Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, February 22, 2023
9:35a.m.
Via Videoconference**

**On the following measure:
S.B. 473, S.D. 1, RELATING TO THE PRACTICE OF PHARMACY**

WRITTEN TESTIMONY ONLY

Chair Keohokalole and Members of the Committee:

My name is James Skizewski, and I am the Executive Officer of the Board of Pharmacy (Board). The Board offers comments on this bill.

The purpose of this bill is to exempt drug manufacturers, wholesale prescription drug distributors, and third-party logistics providers of home dialysis drugs, supplies, and devices from the license, registration, and permit requirements for pharmacies; provided that certain conditions are met.

This bill proposes to create an entirely new section, which exempts certain providers from the Board's statutes. It is unclear to the Board whether these amendments will apply to in-state or out-of-state prescription wholesale distributors, manufacturers, or third-party logistics providers or all. The Board requests clarification on the purpose for such an exemption.

Exempting existing businesses who supply prescription drugs and medical supplies and devices from licensing requirements for specific drug and medical supplies will remove protections, which ensure patient safety. Exempt businesses will not: be required to have their facilities inspected; have to confirm that appropriate storage requirements are met; or have to acknowledge and confirm that proper records are kept. The requirements for licensure, including inspections ensure compliance with Hawaii Revised Statutes chapters 328 and 461. These requirements are instrumental in protecting the consumers of Hawaii.

It is also unclear why a wholesale prescription drug distributor, manufacturer, or third-party logistics provider would "dispense" products directly to the patient when

Hawaii Administrative Rules section 16-95-2 states the definition of “Wholesale distributor’ means any person or entity in this State engaged in the transfer of prescription drugs to a person other than a consumer or patient...” If an out-of-state business wishes to “dispense” prescription drugs or devices directly into this State to the end user or patient, then the dispensing must occur under a permitted pharmacy and under the supervision of a licensed pharmacist.

Thank you for the opportunity to testify on this bill.



Hawaii State Senate Committee on Commerce and Consumer Protection
Wednesday, February 22, 2023, at 9:35 am
Conference Room 229
Hawaii State Capitol

RE: SB473, SD1 Relating to the Practice of Pharmacy

Good morning, Chair Jarrett Keohokalole, Vice Chair Carol Fukunaga, and Members of the Senate Committee on Commerce and Consumer Protection.

My name is Jocelyn Saccamago and I serve as the Regional Vice President for Hawaii and Guam of Liberty Dialysis. We are an affiliate of Fresenius Kidney Care.

Liberty Dialysis **SUPPORTS THE INTENT** of SB473, SD1 Relating to the Practice of Pharmacy.

Patients who need dialysis may have the option of treating in the comfort of their own home rather than at an outpatient dialysis center. Many experts agree that home dialysis—either peritoneal or hemodialysis—is the best option for treating kidney failure whenever possible. That's because choosing home dialysis can mean greater scheduling flexibility, fewer food restrictions, and better outcomes. Home dialysis treatment can also be done longer and more frequently, so it's gentler on the body, meaning patients feel better and have an improved quality of life. The intent of SB473, SD1 is to help support these home dialysis patients.

At this bill's first hearing in the Senate Committee on Health and Human Services, the bill was amended to include an effective date of December 31, 2050 to encourage further discussion. We appreciate this thoughtful amendment and look forward to discussions with others involved in this matter.

Thank you for your consideration.

SB-473-SD-1

Submitted on: 2/18/2023 8:11:31 PM

Testimony for CPN on 2/22/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

You can not TRUST any one who Sells Drugs including the Pharmacies!!!!