

STAND. COM. REP. NO.

98

Honolulu, Hawaii

FEB 07

, 2023

RE: H.B. No. 659
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 659 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to amend the pharmacist scope of practice to clarify that pharmacists may order and perform certain diagnostic-related tests and tests waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA).

Your Committee received testimony in support of this measure from the University of Hawai'i at Hilo, Hawai'i Pharmacists Association, Hep Free Hawai'i, Hawai'i Health & Harm Reduction Center, Walmart Inc., Walgreen Co., Times Pharmacy, and six individuals. Your Committee received testimony in opposition to this measure from Clinical Laboratories of Hawaii. Your Committee received comments on this measure from the Department of Health and Board of Pharmacy.

Your Committee finds that under existing state law, pharmacists are currently permitted to perform certain drug therapy-related tests. However, it is unclear if pharmacists can explicitly perform CLIA-waived tests. CLIA-waived tests are simple, easy to use tests that are non-technical in nature and are meant to be performed by lay persons in a non-clinical setting.

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Your Committee further finds that enabling pharmacists to perform certain diagnostic-related and CLIA-waived tests will improve and expand patient access to necessary, but simple, health care.

Your Committee notes the concerns raised that this measure may be viewed as an expansion of the scope of practice for pharmacists. Your Committee finds that these concerns may warrant additional discussion as this bill moves through the legislative process.

Your Committee has amended this measure by:

- (1) Clarify that pharmacists may order certain tests and perform the collection of certain authorized or approved specimens;
- (2) Changing the effective date to June 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 659, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 659, H.D. 1, and be referred to your Committee on Higher Education & Technology.

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

Della Au Belatti

DELLA AU BELATTI, Chair



