

## **Testimony of the Board of Pharmacy**

**Before the  
Senate Committee on Commerce and Consumer Protection  
Wednesday, March 27, 2024  
9:30 a.m.  
Conference Room 229 and Videoconference**

**On the following measure:  
H. B. 1836, H.D. 2, S.D. 1, RELATING TO HEALTH**

### **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 supports this bill.

The purpose of this bill is to allow registered pharmacists during declared states of emergency to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

Pharmacies are geographically dispersed throughout the community with extended hours of operation, making access to health care provided through pharmacies readily available for patients in each locality. Considering the recent wildfires on Maui, the Board supports the allowances provided in this bill, which is similar to the language included in emergency proclamations issued by Governor Josh Green and Acting Governor Sylvia Luke. This language allowed pharmacies and pharmacists to provide necessary health services to patients who were unable to contact their prescribers or medical providers due to the fire. These exemptions were essential to provide healthcare to patients who could have experienced severe adverse reactions in the absence of medication.

The Board appreciates the limitations included in this bill. The requirement of a declared state of emergency and the limit of a thirty-day supply provide sufficient safeguards related to patient safety. The additional requirements to have pharmacists make every effort to contact the prescriber and use their professional judgement on a

Testimony of the Board of Pharmacy

H.B. 1836, H.D. 2, S.D. 1

Page 2 of 2

case-by-case basis creates the appropriate redundancies necessary to allow prescription refills. These parameters ensure that services are not being provided indefinitely outside of the appropriate healthcare plan.

Thank you for the opportunity to testify on this bill.



**STATE OF HAWAII**  
**KA MOKU'ĀINA O HAWAII**  
**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**  
**'A'UNIKE MOKU'ĀPUNI NO KA NĀ KĀWAI KULA**  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

March 27, 2024

The Honorable Senator Jarrett Keohokalole  
Senate Committee on Commerce and Consumer Protection  
The Thirty-Second Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Keohokalole and Committee Members:

**SUBJECT: HB1836 HD2 SD1 RELATING TO HEALTH**

The Hawai'i State Council on Developmental Disabilities is in **support of HB1836 HD2 SD1**, which allows registered pharmacists during declared states of emergency to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being. (SD1)

HB1836 HD2 SD1 is significant for our population of individuals with developmental disabilities (DD) during a state of emergency. Such periods can exacerbate existing challenges faced by individuals with DD, including limited access to essential healthcare services, disruptions in support systems, and increased vulnerability to adverse health outcomes. This legislation seeks to address these challenges by strengthening healthcare resources and support services, ensuring that individuals with DD will have access to their prescription medication even in the event of emergencies.

Individuals with DD often need medication to support or maintain their health. These medications are vital to these individuals, and having continual access to these medications will ensure that our DD population has one less obstacle during emergencies.

Thank you for the opportunity to submit testimony in **support of HB1836 HD2 SD1**.

Sincerely,

Daintry Bartoldus,  
Executive Administrator



**Testimony to the Senate Committee on Commerce and Consumer Protection  
Wednesday, March 27, 2024; 9:30 a.m.  
State Capitol, Conference Room 229  
Via Videoconference**

**RE: HOUSE BILL NO. 1836, HOUSE DRAFT 2, SENATE DRAFT 1, RELATING TO HEALTH.**

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

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** House Bill No. 1836, House Draft 2, Senate Draft 1, RELATING TO HEALTH.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

This bill, as received by your Committee, would allow pharmacists to refill prescriptions (excluding those for controlled substances) of up to thirty-day supplies of dangerous drugs and dangerous devices if the prescriber is unavailable to authorize refills and if, in the pharmacist's professional judgment, failure to refill the prescription may interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

This bill would also take effect upon approval.

In early August 2023, a series of wildfires broke out on the Island of Maui that caused severe destruction of businesses and residences in the town of Lahaina, and the loss of at least 100 persons. The Lahaina event was the deadliest wildfire in U.S. history.

**Testimony on House Bill No. 1836, House Draft 2, Senate Draft 1**  
**Wednesday, March 27, 2024; 9:30 a.m.**  
**Page 2**

As the people of Maui began to grieve, heal and put their lives back in order, heroes stepped up to help their neighbors during their greatest time of need. One such hero was Cory Lehano, a pharmacist and owner of Mauiola Pharmacy, located about 40 minutes away from Lahaina. He and his staff scrambled to Lahaina with desperately needed medications to help residents from Lahaina, many of whom had their homes and all of their possessions destroyed by the fire, obtain refills of their prescriptions – in many cases for free. (See, <https://www.cbsnews.com/news/maui-wildfire-survivors-left-without-life-saving-medicine-doctor-cory-lehano-stepped-up-provide-them-for-free/>)

Lehano and his staff were able to do this because of the Governor’s use of emergency powers easing various pharmacy regulations that would have prohibited the refilling of medications in this manner. However, recognizing the exigent circumstances of this situation, regulators, administrators, and providers came together to help the victims of the fire immediately.

Mauiola Pharmacy is a contractor of Lanai Community Health Center (LCHC). He helped to develop LCHC’s model Telepharmacy Program, which ensures that more than 70% of Lanai’s population are able to receive prescription medications cheaper and quicker under the federal 340B program. To the HPCA, we are not surprised by what Lehano and Mauiola Pharmacy did in Lahaina. He was already a hero to the people of Lanai.

This bill would clarify statutes to ensure that if another crisis like the Lahaina wildfire should arise, pharmacists like Cory Lehano can step up once again. In our opinion, it makes sense to change the law this way.

Accordingly, the HPCA strongly urges your favorable consideration of this measure.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or [eabe@hawaiiipca.net](mailto:eabe@hawaiiipca.net).



Wednesday, March 27, 2024 at 9:30 am  
Conference Room 229

**Senate Committee on Commerce and Consumer Protection**

To: Chair Jarrett Keohokalole  
Vice Chair Carol Fukunaga

From: Paige Heckathorn Choy  
AVP, Government Affairs  
Healthcare Association of Hawaii

Re: **Testimony in Support**  
**HB 1836 HD 2 SD 1, Relating to Health**

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing more than 30,000 people statewide.

Thank you for the opportunity to provide testimony in **support** of this measure, which seeks to ensure that patients have access to needed medications quickly in the event of a natural disaster. Many of our members stepped up after the wildfire disaster to work with other stakeholders to help ensure that residents who needed a refilled prescription were able to access those critical supplies. This was extremely difficult at times, but we are proud of the work our members did in their communities to meet the needs.

At the time, language was needed in emergency proclamation to not only make the dispensation of medications easier, but to also ensure that centralized services and mobile pharmacies could be used to reach displaced residents. If passed, this measure would help to alleviate the burden on any individuals affected in an emergency and would also help to promote a more resilient recovery system in the wake of disasters. We appreciate the legislature's continued focused on protecting the health and continuity of care for our communities in times of greatest need.

Thank you for the opportunity to testify on this important matter.



Senate Committee on Commerce and Consumer Protection  
Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice Chair

Hearing Date: Wednesday, March 27, 2024

**ACS CAN SUPPORTS HB 1836 HD2 SD1 – RELATING TO HEALTH.**

Cynthia Au, Government Relations Director – Hawaii Guam  
American Cancer Society Cancer Action Network

Thank you for the opportunity to SUPPORT HB 1836 HD2 SD1 which allows registered pharmacists during declared states of emergency to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

The American Cancer Society Cancer Action Network (ACS CAN), the nonprofit, non-partisan advocacy affiliate of the American Cancer Society advocates for public policies that reduce death and suffering from cancer. ACS CAN works with federal, state, and local government bodies to support evidence-based policy and legislative solutions designed to eliminate cancer as a major health problem.

ACS CAN supports access to care including prescription drugs. We support this bill which may help to mitigate a patient's ability to access necessary prescription medications during declared states of emergency under certain circumstances.

Thank you again for the opportunity to provide testimony in SUPPORT on this important matter. Should you have any questions, please do not hesitate to contact Government Relations Director Cynthia Au at 808.460.6109, or [Cynthia.Au@Cancer.org](mailto:Cynthia.Au@Cancer.org).



March 27, 2024

The Honorable Jarrett Keohokalole, Chair  
The Honorable Carol Fukunaga, Vice Chair  
Senate Committee on Commerce and Consumer Protection

Re: HB 1836 HD2 SD1– Relating to Health

Dear Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committees

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of HB 1836 HD2 SD1, which will allow registered pharmacists during declared states of emergency to refill prescriptions for up to a thirty-day supply if the practitioner is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist's professional judgment, failure to refill the prescription might interrupt the patient's ongoing care and have a significant adverse effect on the patient's well-being.

We support the legislature's intent to ensure access to needed medication especially during emergency scenarios as we saw last August during the Maui wildfires. We would ask the committee's consideration of limiting the applicability of the measure to individuals who are directly impacted by the State of Emergency for clarity under these circumstances. On page 2, line 17:

"§461- Refills without practitioner's authorization during state of emergency. (a) During a state of emergency declared pursuant to section 127A-14, a prescription for persons directly impacted by the emergency may be refilled up to a thirty-day supply

Thank you for the opportunity to provide testimony in support of HB 1836 HD2 SD1.

Sincerely,

Dawn Kurisu  
Assistant Vice President  
Community and Government Relations



**HB-1836-SD-1**

Submitted on: 3/22/2024 10:40:15 PM

Testimony for CPN on 3/27/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ronald Taniguchi, Pharm.D., MBA	Individual	Support	Written Testimony Only

Comments:

I support the passage of HB1836 HD2 SD1 as written. Mahalo

**LATE**

**HB-1836-SD-1**

Submitted on: 3/26/2024 11:43:21 AM

Testimony for CPN on 3/27/2024 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cathy Wilson	Individual	Support	Written Testimony Only

Comments:

This is an important Bill to pass because we learned during COVID, patients need their medications. There were many who could not get their meds because this law was not in place.