

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

**Before the  
Senate Committee on Health and Human Services  
and  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Wednesday, March 13, 2024  
3:00 p.m.  
Conference Room 225 and Videoconference**

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

Chair San Buenaventura, Chair Wakai, and Members of the Committees:

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 a state of emergency by allowing pharmacists 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 acute healthcare to patients who could have experienced severe adverse reactions with 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

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

Thank you for the opportunity to testify on this bill.



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
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March 13, 2024

TESTIMONY TO THE SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES,  
AND PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

House Bill 1836 HD2– Relating to Health

The Disability and Communication Access Board (DCAB) supports House Bill 1836 HD2–  
Relating to Health.

This bill would allow pharmacists, during declared states of emergency, to refill prescriptions of up to thirty-day supplies of dangerous drugs and dangerous devices if the prescriber 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.

It is vitally important that a person with a medical condition is able to access medications that are part of their treatment program. This bill will ensure their continuity of care even during a declared state of emergency.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director



**Wednesday, March 13, 2024 at 3:00 pm**  
**Conference Room 225**

**Senate Committee on Public Safety and Intergovernmental and Military Affairs**

To: Chair Glenn Wakai  
Vice Chair Brandon J.C. Elefante

**Senate Committee on Health and Human Services**

To: Chair Joy A. San Buenaventura  
Vice Chair Henry J.C. Aquino

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

**Re: Testimony in Support**  
**HB 1836 HD 2, 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. We are supportive of amendments offered to ensure that these services can be used readily in an emergency.

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



**Testimony to the Senate Joint Committee on Health and Human Services and Public  
Safety and Intergovernmental and Military Affairs  
Wednesday, March 13, 2024; 3:00 p.m.  
State Capitol, Conference Room 225  
Via Videoconference**

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

Chair San Buenaventura, Chair Wakai, 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, 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 on July 1, 3000.

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**  
**Wednesday, March 13, 2024; 3:00 p.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).



[fightcancer.org](http://fightcancer.org)

Senate Committee on Health and Human Services  
Senator Joy San Buenaventura, Chair  
Senator Henry Aquino, Vice Chair

Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senator Glenn Wakai, Chair  
Senator Brandon Elefante, Vice Chair

Hearing Date: Wednesday, March 13, 2024

**ACS CAN SUPPORTS HB 1836 HD2 – 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 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.

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).



# UNIVERSITY OF HAWAII SYSTEM

## ‘ŌNAEHANA KULANUI O HAWAII

### Legislative Testimony

### Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Senate Committee on Health and Human Services  
Wednesday, March 13, 2024 at 3:00 p.m.

By

Bonnie Irwin, Chancellor

and

Rae Matsumoto, Dean

Daniel K. Inouye College of Pharmacy

University of Hawai'i at Hilo

and

Michael Bruno, Provost

and

Lee Buenconsejo-Lum, Interim Dean

John A. Burns School of Medicine

University of Hawai'i at Mānoa

#### HB 1836 HD2 – RELATING TO HEALTH

Chairs Wakai and San Buenaventura, Vice Chairs Elefante and Aquino, and Members of the Committees:

Thank you for the opportunity to submit testimony on HB 1836 HD2. The University of Hawai'i at Hilo (UH Hilo) supports HB 1836 HD2, which allows pharmacists, during declared states of emergency, to refill prescriptions of up to 30 day supplies if the prescriber 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 wellbeing.

This bill essentially allows pharmacy provisions that happened during the emergency proclamations following the Lahaina fires to be codified so that quick action can be taken should another emergency occur. Community pharmacies and pharmacists play a vital role in our health care system with established relationships with patients and local, state, and federal departments of health as well as accessible distribution networks that remain critical during a state of emergency. Post-disaster lack of access to routine health care is a leading cause of morbidity and mortality. Hawai'i's healthcare system experienced the impact of delayed care for chronic conditions, which included patients going without medications until they could see their physician. In some instances, this resulted in hospitalization or worsening of their condition. When contact with prescribers cannot be made, pharmacists play a key role in determining the need for emergency



refill prescriptions for patients with chronic illnesses. Twenty-three states already have laws or regulations in place that allow prescription refills during an emergency.

The clear guidance provided for pharmacists through HB 1836 HD2 will allow the essential medication needs of people in Hawai'i to be addressed in a timely and responsible manner during a state of emergency. In summary, passage of HB 1836 HD2 will enable pharmacists, during states of emergency, to act in the best interest of patients and protect the wellbeing of the people of Hawai'i.

Thank you for the opportunity to testify in support of HB 1836 HD2.



## Hawaii Medical Association

1360 South Beretania Street, Suite 200 • Honolulu, Hawaii 96814  
Phone: 808.536.7702 • Fax: 808.528.2376 • hawaiimedicalassociation.org

### COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Glenn Wakai, Chair  
Senator Brandon J.C. Elefante, Vice Chair

### COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice Chair

Date: March 13, 2024  
From: Hawaii Medical Association  
Elizabeth England, MD  
Chair, HMA Public Policy Committee

### **Re: HB 1836 HD2, RELATING TO HEALTH Position: SUPPORT WITH COMMENTS**

Thank you for the opportunity to submit testimony in **SUPPORT of HB1836 HD2**, which allows pharmacists to refill prescriptions if providers are unavailable during a declared state of emergency.

HMA appreciates that this bill will facilitate patient access to care and continued treatment when extenuating circumstances may limit a patient's ability to get refills from their provider. Allowing pharmacists to assist with refills when these circumstances arise can help prevent exacerbations of chronic disease that can further strain our healthcare system and negatively impact patient outcomes.

Thank you for allowing the HMA to testify on this measure.

#### **2024 Hawaii Medical Association Officers**

Elizabeth Ann Ignacio, MD, President • Nadine Tenn-Salle, MD, President Elect • Angela Pratt, MD, Immediate Past President  
Jerris Hedges, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

#### **2024 Hawaii Medical Association Public Policy Coordination Team**

Beth England, MD, Chair  
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director



**SanHi**

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 13, 2024

TO: Senator Joy A. San Buenaventura  
Chair, Senate Committee on Health and Human Services

Senator Glenn Wakai  
Chair, Senate Committee on Public Safety, Intergovernmental, and Military  
Affairs

FROM: Mihoko Ito / Tiffany Yajima

RE: **H.B. 1836, H.D. 2 – Relating to Health**  
**Hearing Date: Wednesday, March 13, 2024 at 3:00 p.m.**  
**Conference Room: 225**

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Dear Chair San Buenaventura, Chair Wakai, and Members of the Joint  
Committees:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 9,000 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens has 17 stores on the islands of Oahu and Maui.

Walgreens supports the intent of this measure. H.B. 1836, H.D. 2 allows pharmacists, during declared states of emergency, to refill prescriptions of up to a thirty-day supply if the prescriber is unavailable or cannot be contacted to authorize the refill and if, in the pharmacist’s professional judgement, 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 intent of the bill, and would note that a working group convened in the aftermath of the Maui wildfires to address emergency pharmacy needs so that people who were affected by the disaster could access critical medicines. These pharmacy provisions are set forth in the Governor’s current wildfire [emergency proclamation](#) and cover three areas: 1) allowing pharmacists to refill prescriptions up to a thirty-day supply, 2) allowing pharmacies to utilize centralized services, where available, to review prescriptions and counsel patients, and 3) establishing mobile or temporary pharmacies.

We would recommend taking guidance from the existing emergency proclamation on refilling emergency prescriptions. We would also support

including emergency proclamation language to add the use of pharmacy centralized services or establish mobile or temporary pharmacies, as well as other conforming amendments to be consistent with the emergency proclamation.

Thank you for the opportunity to submit this testimony.



March 13, 2024

The Honorable Joy A. San Buenaventura, Chair  
The Honorable Henry J.C. Aquino, Vice Chair  
Senate Committee on Health and Human Services

The Honorable Glenn Wakai, Chair  
The Honorable Brandon J.C. Elefante, Vice Chair  
Senate Committee on Public Safety and Intergovernmental and Military Affairs

Re: HB 1836 HD2– Relating to Health

Dear Chair San Buenaventura, Chair Wakai, Vice Chair Aquino, Vice Chair Elefante, and  
Members of the Committees:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to provide comments on HB 1836 HD2, 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 request that the committees consider 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 comments on HB 1836 HD2.

Sincerely,

Dawn Kurisu  
Assistant Vice President  
Community and Government Relations