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**DEPARTMENT OF LAW ENFORCEMENT**

*Ka 'Oihana Ho'okō Kānāwai*

715 South King Street  
Honolulu, Hawaii 96813

TESTIMONY ON HOUSE BILL 2462, HOUSE DRAFT 1  
RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM

Before the House Committee on Consumer Protection & Commerce

Tuesday, February 27, 2024; 2:00 p.m.

State Capitol Conference Room 329, Via Videoconference

Testifier: Jared Redulla

Chair Nakashima, Vice Chair Sayama, and Members of the Committee:

The Department of Law Enforcement (DLE) **supports** House Bill (HB) 2462, House Draft (HD) 1, which updates section 329-104(c), Hawaii Revised Statutes, to clarify who may access information stored in the electronic prescription accountability system (EPAS), more commonly known as the Prescription Drug Monitoring Program (PDMP).

DLE supports HB 2462, HD1, for several important reasons, the most important being that this measure aligns with the goals of the Hawaii Opioid Initiative. First, HB 2462, HD1 clarifies that an advance practice registered nurse (APRN) has the authority to access information stored on the PDMP. APRNs are already mandated to use the PDMP when they prescribe controlled substances in certain situations.

Second, HB 2462, HD1 clarifies that a pharmacist may access the PDMP to check for information regarding a customer being served. Currently, pharmacists may query a customer in the PDMP only when they suspect that a violation of law is

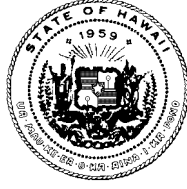
occurring. The ability for a pharmacist to check the PDMP before dispensing a controlled substance, without first suspecting a violation of the law, is best practice for every pharmacist.

Third, HB 2462, HD1 would allow authorized employees of the State Department of Human Services, Med-Quest Program, which manages the federal Medicaid Program in Hawaii, to access information in the PDMP. Allowing Med-Quest access the PDMP provides additional checks and balances to ensure appropriate billing for services, appropriate prescribing, and treatment access for Medicaid members. Further, the federal Medicaid Program has instituted new efforts to combat the nationwide opioid program. As a result, DLE has been working closely with the State Med-Quest Office to cooperatively combat the national opioid problem and access to the PDMP is necessary for Med-Quest to comply with their standards for compliance in the Medicaid realm.

Finally, HB 2462, HD1 would allow certain providers within the United States Department of Veterans Affairs within the State to receive information from the PDMP. The State is required by federal law to share PDMP information with the Department of Veterans Affairs. This part of the measure would align State law with that federal requirement.

Thank you for the opportunity to testify in support of this measure.

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February 26, 2024

To: The Honorable Representative Mark Nakashima, Chair  
House Committee on Consumer Protection and Commerce

FROM: Cathy Betts, Director

SUBJECT: **HB 2462 HD1 – RELATING TO THE PRESCRIPTION ACCOUNTABILITY SYSTEM.**

Hearing: February 27, 2024, 2:30 p.m.  
Conference Room 329, State Capitol & Video Conference

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) strongly supports this administration measure.

**PURPOSE:** The purpose of this bill is to update section 329-104(c), HRS, to clarify who may access information stored in the electronic prescription accountability system. Takes effect July 1, 3000.

The Committee on Human Services amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Department strongly supports this measure to allow certain authorized employees of DHS's Med-QUEST Division (MQD) access to the data in the prescription drug accountability program. MQD is required to report to the federal regulators, Centers for Medicare and Medicaid Services, a broad range of information regarding the use of and treatment for various

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drugs, particularly opioids (*Drug Utilization Review Annual Report*). Some of that information is only available from the Prescription Accountability System.

Having access also allows MQD to support the Hawaii Prescription Drug Monitoring Program through quality improvement and enforcement actions targeted at increased compliance by Medicaid-contracted providers. Therefore, the Department strongly supports this measure.

Thank you for the opportunity to testify in support of this measure.