



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of (HB 1272 HD 1)
RELATING TO PRESCRIPTION DRUGS

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: February 19, 2019 Room Number: 325

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) defers to the Board of Pharmacy of
3 the Department of Commerce and Consumer Affairs on implementation of HRS Chapter 461 and
4 any amendments to current law or regulations that may apply. We also defer to the Department
5 of Public Safety, Narcotics Enforcement Division (PSD) regarding implications for enforcement.

6 The DOH also joins the Board of Pharmacy in support of this measure. One of the goals
7 of the Hawaii Opioid Initiative is to increase the amount of prescription drugs taken back from
8 the community by implementing at least two more year-round “take back” sites on Oahu as a
9 step to expand the collection effort statewide. This measure provides the necessary structure for
10 authorized collectors of controlled substances such as hospitals, clinics with on-site pharmacies,
11 retail pharmacies and law enforcement agencies to operate a statewide take back system for
12 disposal of unwanted controlled substances.

13 The DOH continues to work in close collaboration with PSD, the Department of the
14 Attorney General and county law enforcement to implement takeback programs in each county
15 that comply with federal regulation.

16 Thank you for the opportunity to provide testimony.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Judiciary
Tuesday, February 19, 2019 at 2:05 p.m., Room 325

by
Marcia Sakai
Interim Chancellor
and
Carolyn Ma, PharmD, BCOP
Dean
Daniel K. Inouye College of Pharmacy
University of Hawai'i at Hilo

LATE

HB 1272 HD1 – RELATING TO PRESCRIPTION DRUGS

Chair Lee, Vice Chair San Buenaventura and members of the committee:

My name is Carolyn Ma, and I am the Dean for the UH Hilo Daniel K. Inouye College of Pharmacy (DKICP). University of Hawai'i at Hilo fully supports this bill with the proposed amendments that authorize certain pharmacies to collect prescription drugs for disposal via collection receptacles or mail-back programs; and prohibits pharmacies from redispensing or returning prescription drugs that have been returned for disposal.

Unused medications in households and at various patient care facilities expose residents to potential harm due to mistaken ingestion and increase the potential for theft and assault. In children ≤ 5 years old, medication overdoses are the most common.¹ Annually, more than 71,000 children under the age of 19 present to emergency rooms for unintentional overdoses of prescription and over the counter drugs annually.² The problem can add to drug abuse in young adults aged 18-25 (5.9%) while 3% of teens (12-17yrs) have the second highest rate.³ So called "pharm parties", social gatherings where prescription drugs are consumed with alcohol have gained popularity in recent years in both age groups.^{3,4}

In partnership with the Narcotics Enforcement Division, the DKICP has participated in annual Drug Take Back events since 2012 and annually we hold Drug Take Back events during our DKICP Annual Health Fair in Hilo. In 2014, we published in the Hawai'i Journal of Medicine and Public Health, our efforts to quantify and describe the types of returned medications.⁵ In two large drug take back events at the annual Good Life Senior Expo (3 days) and nine, one day events on O'ahu, Maui, Kaua'i and Hawai'i Island, a total of over 8000 pounds of medications were recovered. Seven of the top 10 types of medications were classified as cardiovascular agents. The most common non-prescription medications included aspirin, naproxen and ibuprofen. Controlled substances comprised 10% of the returned medications, the most common was the combination hydrocodone/acetaminophen medications (CII).

The Drug Enforcement Agency (DEA) also continues to hold successful annual drug take back events and there are 10 drug return kiosks in the police stations on Maui, Kaua'i and Hawai'i Island. However, there remains need for additional mechanisms to return unused medications.

We support this initiative and appreciate the opportunity to provide testimony.

References

1. Schillie SF, Sheab N, Thomas KE, Budnitz DS, Medication overdoses leading to emergency department visits among children, *A. J. Pre. Med.* 2009;37(3):181-7.
2. Epidemic Responding to America's Prescription Drug Crisis. Executive Office of the President of the United States (2011)
3. Prescription Drug: abuse and Addiction Adolescents and young adults. National Institute on Drug Abuse
4. Leinwand D. Prescription place in teen culture. *USA Today.* June 13, 2006
5. Ma, CS, Batz, F, Taira Juarez, D, Ladao, L, Drug Take Back in Hawai'i: Partnership Between the University of Hawai'i Hilo College of Pharmacy and The Narcotics Enforcement Division. *HJMPH* 2014;73:1(26-31)

Testimony of the Board of Pharmacy

**Before the
House Committee on Judiciary
Tuesday, February 19, 2019
2:05 p.m.
State Capitol, Conference Room 325**

**On the following measure:
H.B. 1272, H.D. 1, RELATING TO PRESCRIPTION DRUGS**

Chair Lee and Members of the Committee:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill.

The purposes of this bill are to: (1) authorize pharmacies to accept the return of any prescription drug for disposal via secured collection receptacles or mail-back programs; (2) prohibit pharmacies from re-dispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; and (3) require the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs.

During the summer, the Board established a Pharmacy Working Group (Group), which consisted of major stakeholders in the pharmacy industry, including, but not limited to, representatives from both local independent and chain store pharmacies, the medical community, the Department of Health, the Department of Public Safety's Narcotics Enforcement Division, and the insurance industry. In particular, the Group discussed legislation introduced during the 2018 legislative session, including those measures that were enacted into law, measures that did not pass, and other measures that affected the pharmacy scope of practice.

For the Committee's information, one of the many topics discussed was the safe disposal of prescription drugs. The Group determined that this issue should be addressed to:

- Prevent unused or unwanted drugs, including controlled substances, from being diverted to an unintentional user;
- Ensure the safe disposal of prescription drugs to avoid polluting or contaminating landfills and oceans; and

- Give consumers more accessibility to pharmacies that receive these drugs through a secured collection receptacle and to obtain information on mail-back programs.

The Board believes that ensuring the safe and convenient disposal of unused or unwanted opioid drugs by participating pharmacies will help address the nationwide opioid epidemic.

Lastly, the Board respectfully requests that the effective date of the bill be amended from July 1, 2050, to upon approval.

Thank you for the opportunity to testify on this bill.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: February 18, 2019

TO: Representative Chris Lee
Chair, House Committee on Judiciary
Submitted Via Capitol Website

FROM: Mihoko Ito

RE: **H.B. 1272, H.D.1 – Relating to Prescription Drugs**
Hearing Date: Tuesday, February 19, 2019 at 2:05 p.m.
Conference Room: 325

Dear Chair Lee and Members of the Committee on Judiciary:

We submit this testimony on behalf of Walgreen Co. (“Walgreens”). Walgreens operates stores at more than 8,200 locations in all 50 states, the District of Columbia, and Puerto Rico. In Hawaii, Walgreens now has 19 stores on the islands of Oahu, Maui, and Hawaii.

Walgreens **supports** H.B. 1272, H.D.1 which authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs, pursuant to federal law.

Walgreens has been a leader in finding solutions to combat prescription drug misuse. On the mainland, Walgreens has installed over 1500 drug takeback kiosks in states across the country.

Walgreens supports the language in this bill because it allows for pharmacies to participate in drug take back programs, provided that they follow the existing federal framework. Under the federal law, pharmacies can voluntarily establish drug or participate in mail back programs. To establish a kiosk, pharmacies must register and follow the rigorous procedures set forth by the Drug Enforcement Agency for handling and disposing the collected waste.

We would note that in other jurisdictions that are addressing this issue, drug manufacturers have been given responsibility for implementing drug take back collection, handling and disposal systems. In these systems, manufacturers are required to pay for drug take back systems, and may partner with pharmacies, hospitals or clinics to accomplish this goal. Walgreens believes that it would be valuable in future discussions to include all of the entities potentially involved in pharmaceutical waste collection including law enforcement, chain and community pharmacies, hospitals/clinics and drug manufacturers.

Thank you for the opportunity to submit testimony regarding this measure.

HB-1272-HD-1

Submitted on: 2/18/2019 12:22:20 PM

Testimony for JUD on 2/19/2019 2:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:



LATE

February 17, 2019

The Honorable Chris Lee, Chair
The Honorable Joy A. San Buenaventura, Vice Chair
House Committee on Judiciary

Re: HB 1272 HD1 – Relating to Prescription Drugs

Dear Chair Lee, Vice Chair San Buenaventura, and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on HB 1272, HD1, which authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs; prohibits pharmacies from redispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; requires the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs.

HMSA supports addressing the safe disposal of unused or unwanted opioid drugs. We believe this measure promotes patient safety by allowing pharmacies to accept prescription drugs for disposal in a way that is convenient and accessible for the public.

Thank you for the opportunity to provide testimony on this measure.

Sincerely,

Pono Chong
Vice President, Government Relations



LATE

HB1272 Pharmacies Drug Take Back

COMMITTEE ON JUDICIARY:

- Rep. Lee, Chair; Rep. San Buenaventura, Vice Chair
- Tuesday, Feb. 19, 2019: 2:05 pm
- Conference Room 325

Hawaii Substance Abuse Coalition Supports HB1272:

GOOD MORNING CHAIRS, VICE CHAIRS AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization of almost 40 non-profit alcohol and drug treatment and prevention agencies.

HSAC supports the *Pharmacy Working Group* efforts to develop policies and procedures that promote the safe disposal of prescription drugs within the pharmacy scope of practice.

- The Pennsylvania Department of Drug and Alcohol Programs developed a successful program for drug take-back that alleviated the health and safety concerns from the diversion and misuse of prescription drugs by helping people properly dispose of unused prescription medications.

The risk for unsafe storage in homes is that many young people who misuse prescription drugs report that their source can be family medicine cabinets. Keeping unused opioids or other common drugs of misuse in homes is no longer safe or responsible. The best response by people is to Lock Up – Don't Share – Safely Dispose.¹

This bill will greatly help people to safely dispose of potentially dangerous medications as well as help educate everyone about the dangers of misuse.

We appreciate the opportunity to provide testimony and are available for questions.

¹ https://www.ddap.pa.gov/Prevention/Pages/Drug_Take_Back.aspx