

STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony in SUPPORT of (SB 1486 SD 1)
RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM

REPRESENTATIVE JOHN M. MIZUNO, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 19, 2019

Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) **strongly supports** SB 1486 SD 1.
3 These bills support and enhance the coordinated efforts undertaken by the Department of Public
4 Safety (PSD), Narcotics Enforcement Division (NED) and the DOH to implement a balanced
5 and coordinated public safety/public health strategy to address opioid and other substance abuse
6 issues in our state. The bills allow the NED administrator to disclose, at his discretion,
7 confidential information from the Electronic Prescription Accountability System, more
8 commonly known as the Prescription Drug Monitoring Program (PDMP), to authorized
9 employees of the DOH Alcohol and Drug Abuse Division (ADAD) and the Emergency Medical
10 Services and Injury Prevention Systems Branch (EMSIPSB).

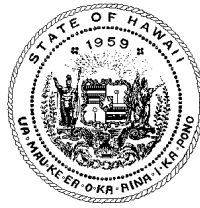
11 The PDMP is a unique resource that provides a picture of health care opioid prescribing
12 and pharmacy dispensing practices and patterns in Hawaii. Increased access to the prescription
13 database will greatly inform the DOH's Strategic Plan for preventing opioid addiction and
14 overdose.

15 More than 150 Hawaii residents die from drug overdoses each year. Nearly half of these
16 deaths involve prescription opioids. Fatal drug overdose is now the leading cause of injury-
17 related deaths in the state, surpassing those from motor vehicle crashes and falls. Prevention and
18 treatment of this problem are top priorities for the Governor. The Hawaii Opioid Initiative
19 brought together a wide range of legislators, state and county officials, law enforcement and first
20 responders, health care professionals and other citizens to work together to develop and

1 implement a plan to reduce prescription opioid abuse and deaths from overdose. SB 1486 SD 1 is
2 intended to fulfill one of the objectives of the Hawaii Opioid Action Plan (Plan) developed by
3 the Hawaii Opioid Initiative. The full revised Plan (January 2019) is available at:
4 https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative_2.pdf.

5 Thank you for the opportunity to provide testimony.

DAVID Y. IGE
GOVERNOR



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TESTIMONY ON SENATE BILL 1486, SENATE DRAFT 1
RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

By

Nolan P. Espinda, Director

House Committee on Health
Representative John M. Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair

Tuesday, March 19, 2019; 10:00 a.m.
State Capitol, Conference Room 329

Chair Mizuno, Vice Kobayashi, and Members of the Committee:

The Department of Public Safety (PSD) supports Senate Bill (SB) 1486, Senate Draft (SD)1, which proposes to amend chapter 329-104(c) of the Hawai'i Revised Statutes (HRS), to allow the PSD Narcotics Enforcement Division (NED) Administrator to disclose, at his/her discretion, confidential information from the Electronic Prescription Accountability System, more commonly known as the Prescription Drug Monitoring Program (PDMP), to authorized employees of the Department of Health (DOH) Alcohol and Drug Abuse Division and the Emergency Medical and Injury Prevention Systems Branch.

PSD has collaborated closely with DOH and other government and private stakeholders to create Hawai'i's "Opioid Action Plan." As part of this action plan, stakeholders agreed that PDMP information sharing between PSD and DOH would provide DOH with information to better protect the community by allowing public health surveillance and decreased harm. Also, the Opioid Action Plan calls for a balanced approach involving effective treatment, prevention, and law enforcement to combat opioid abuse in

Hawai'i. The sharing of data between law enforcement and public health officials, as proposed in SB 1486, exemplifies this approach.

In late February 2019, PSD was notified by the United States Department of Defense Health Agency that their prescription monitoring program records will be made available to practitioners in Hawaii. Presently, military records of prescriptions that are dispensed from military health care facilities, such as Tripler Medical Center, are not shared with the Hawaii PDMP. The military's new initiative to share their prescription monitoring program information with the State will provide Hawaii practitioners with important information when military members or dependents are treated by non-military practitioners in Hawaii.

As a result of these discussion with the United States Department of Defense Health Agency, PSD respectfully requests that this Committee consider a further amendment to SB 1486, SD 1, to allow for the sharing of PDMP information between the State of Hawaii and the United States Department of Defense Health Agency's prescription monitoring program. PSD requests Section 1 of this measure be further amended as follows:

"SECTION 1. Section 329-104 of the Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) This section shall not prevent the disclosure, at the discretion of the administrator, of investigative information to:

(1) Law enforcement officers, investigative agents of federal, state, or county law enforcement or regulatory agencies, United States attorneys, county prosecuting attorneys, or the attorney general; provided that the administrator has reasonable grounds to believe that the disclosure of any information collected under this part is in furtherance of an ongoing criminal or regulatory investigation or prosecution;

(2) Registrants authorized under chapters 448, 453, and 463E who are registered to administer, prescribe, or dispense controlled substances and their

practitioner delegate; provided that the information disclosed relates only to the registrant's own patient;

(3) Pharmacists or pharmacist delegates, employed by a pharmacy registered under section 329-32, who request prescription information about a customer relating to a violation or possible violation of this chapter;

(4) Other state-authorized governmental prescription-monitoring programs;

(5) The chief medical examiner or licensed physician designee who requests information and certifies the request is for the purpose of investigating the death of an individual;

(6) Qualified personnel for the purpose of bona fide research or education; provided that data elements that would reasonably identify a specific recipient, prescriber, or dispenser shall be deleted or redacted from the information prior to disclosure; provided further that release of the information may be made only pursuant to a written agreement between qualified personnel and the administrator in order to ensure compliance with this subsection; ~~and~~

(7) Other entities or individuals authorized by the administrator to assist the program with projects that enhance the electronic prescription accountability system[-];

(8) Authorized employees of the State of Hawaii department of health alcohol and drug abuse division and the emergency medical services and injury prevention system branch; and

(9) The United States Department of Defense Health Agency prescription monitoring program.”

Thank you for the opportunity to present this testimony.

SB-1486-SD-1

Submitted on: 3/17/2019 10:47:02 PM

Testimony for HLT on 3/19/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Bergquist	Drug Policy Forum of Hawaii	Support	No

Comments: