



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony in SUPPORT of (SB 0535 HD 1)
RELATING TO PHARMACISTS PRESCRIBING AND DISPENSING OF OPIOID
ANTAGONIST

REPRESENTATIVE CHRIS LEE, CHAIR
HOUSE COMMITTEE ON JUDICIARY

Hearing Date: March 25, 2019

Room Number: 325

1 **Fiscal Implications:** None

2 **Department Testimony:** The Department of Health (DOH) defers to the Board of Pharmacy on
3 the implementation of SB 0535 HD 1 however we strongly support the intent of this measure
4 since it aligns with objectives from the Hawaii Opioid Initiative. This measure amends §461-
5 11.8, Hawaii Revised Statutes to enable pharmacists to prescribe an opioid antagonist in the
6 name of the individual who is requesting the opioid antagonist and to allow pharmacist to
7 prescribe an opioid antagonist to any individual who requests them.

8 The DOH also understands that stakeholders in the Hawaii Opioid Initiative's Pharmacy
9 Interventions Workgroup prefer to limit the number of health insurance-covered doses. The
10 DOH does not have any concerns with the adoption of policies or guidelines related to
11 distribution of opioid antagonists provided that the underlying goal to make a life-saving drug
12 widely available is honored.

13 Pursuant to Act 154 HSL 2018 which this bill amends, so far these steps were achieved:

- 14 1. The University of Hawaii School of Pharmacy has developed a training program
15 for pharmacists approved by the Accreditation Council for Pharmacy Education
16 (ACPE). To date twenty-five (25) pharmacists have taken this training and others
17 have obtained ACPE-approved training through other programs.
- 18 2. The Hawaii Opioid Initiative's Pharmacy-Based Interventions Workgroup has
19 developed fully-vetted written educational material on risk factors of opioid

1 overdose, signs of an overdose, overdose response steps, and the use of the opioid
2 antagonist.

3 The DOH also supports adding other individuals who request an opioid antagonist. The
4 U.S. Food and Drug Administration encourages broader dissemination of opioid antagonists to
5 combat the U.S. opioid crisis, and the original intent of this measure is consistent with that goal.

6 Thank you for the opportunity to provide testimony.

Testimony of the Board of Pharmacy

**Before the
House Committee on Judiciary
Monday, March 25, 2019
2:00 p.m.
State Capitol, Conference Room 325**

**On the following measure:
S.B. 535, S.D. 1, H.D. 1, RELATING TO PHARMACISTS PRESCRIBING
AND DISPENSING OF OPIOID ANTAGONIST**

Chair Lee and Members of the Committees:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Pharmacy (Board). The Board supports this bill and requests changing the effective date from July 1, 2050, to “upon approval.”

The purpose of this bill is to authorize pharmacists, acting in good faith and exercising reasonable care, to prescribe and dispense an opioid antagonist to patients, family members, and caregivers of opioid patients at risk of overdose.

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 as law, those that did not pass, and other measures that affected the pharmacy scope of practice.

For the Committees’ information, one of the many topics discussed was Act 154, Session Laws of Hawaii (SLH) 2018. Act 154, SLH 2018 authorizes pharmacists to prescribe, dispense, and provide related education on opioid antagonists to individuals at risk of opioid overdose and to family members and caregivers of individuals at risk of opioid overdose without the need for a written, approved collaborative agreement; subject to certain conditions.

The Group determined that in addition to family members, caregivers, or individuals for an opioid antagonist, further clarification is needed with respect to the

name on the prescription written by the pharmacist and to whom the opioid antagonist can be dispensed. The Group appreciates the bill's inclusion of the language "the individual who is requesting the opioid antagonist" on page 2, lines 13-14, as the Group had previously recommended this language. This amendment would allow for more access to the opioid antagonist and may also maintain an individual's privacy if he or she is the individual who is at risk for an opioid overdose and is "requesting" the opioid antagonist.

Thank you for the opportunity to testify on this bill.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Judiciary
Monday, March 25, 2019 at 2:00 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

**SB 535 SD1 HD1 – RELATING TO PHARMACISTS PRESCRIBING AND
DISPENSING OF OPIOID ANTAGONIST**

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

My name is Carolyn Ma, I am the Dean for the Daniel K. Inouye College of Pharmacy (DKICP). The University of Hawai'i at Hilo fully supports this bill that will authorize pharmacists to prescribe and dispense an opioid antagonist to patients, family members and caregivers of patients who may be at risk for an opioid overdose. We support the amendment that allows for the prescription for the opioid antagonist be in the name of the individual being treated with the opioid antagonist, or in the name of the individual who is requesting the opioids antagonist or "Opioid Antagonist Recipient" or "OAR." We also support the additional clause "acting in good faith and exercising reasonable care" pertinent to the pharmacist's responsibility.

Thank you for this opportunity to provide testimony.



SanHi

GOVERNMENT STRATEGIES

A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 24, 2019

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

FROM: Mihoko Ito

RE: **S.B. 535, S.D.1, H.D.1 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist**
Hearing Date: Monday, March 25, 2019 at 2:00 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 is in **support** of S.B. 535, S.D.1, H.D.1 which seeks to clarify the name on the prescription for an opioid antagonist by allowing pharmacists to prescribe and dispense opioid antagonists to patients, family members or caregivers of an individual who is at risk for an opioid overdose.

This measure addresses an implementation issue in Act 154 (2018) that was passed last year by making clear that pharmacists may prescribe and dispense an opioid antagonist in the name of the individual requesting it. Expanding the availability of this medication is an essential part of the public health response to the opioid epidemic. Without this clarifying language, opioid antagonists cannot be made widely available to individuals at risk for an opioid overdose and those who are in contact with them.

Hawaii is one of the last states where opioid antagonists are not made widely available to the community via pharmacies, and yet community involvement and training in preventing opioid overdoses is essential. Opioid antagonists remain underutilized in many overdose situations because many overdoses occur in places where immediate access to opioid antagonists is unavailable and first responders cannot reach a patient in time. Allowing this medication to be prescribed and dispensed in the name of the individual requesting it would make opioid antagonists more widely available in the community to aid in the reduction of drug overdoses in this state.

Walgreens is committed to comprehensive efforts to combat drug abuse. Nationally, Walgreens is engaged in a comprehensive plan to combat drug abuse by stocking Narcan®, an FDA-approved nasal form of naloxone, in its 8,000 pharmacies across the

nation. Pharmacies play a key role in dispensing opioid antagonists because of the accessibility of pharmacies throughout the community, and because pharmacists are trusted, knowledgeable, accessible members of the community. Walgreens believes this bill is one way in which Hawaii can help to address opioid overdoses in the state.

We support the current language in the bill, which has been discussed and agreed to by various stakeholders, and respectfully request that the Committee move the bill in its current form.

Thank you for the opportunity to submit testimony in strong support of this bill.

Testimony of
Jonathan Ching
Government Relations Specialist

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

March 25, 2019
2:00 p.m.
Conference Room 325

Re: SB 535, SD1, HD1, Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonists

Chair Lee, Vice Chair San Buenaventura, and committee members, thank you for this opportunity to provide testimony on SB 535, SD1, HD1, which clarifies the scope of registered pharmacists' practices by allowing registered pharmacists to prescribe, dispense, and provide related education on opioid antagonists.

Kaiser Permanente Hawai'i SUPPORTS SB 535, SD1, HD1

Kaiser Permanente Hawai'i unequivocally agrees with the Legislature's finding that deaths caused by opioids are often preventable via timely administration of an opioid antagonist such as naloxone and is firmly committed to empowering health care professionals, such as pharmacists, who can safely provide naloxone and related education about the risks of opioid overdose.

SB 535, SD1, HD1 further clarifies Act 154 Session Laws of Hawai'i 2018, which authorized pharmacists to prescribe and dispense opioid antagonists. Act 154 was passed to build upon Act 68, Session Laws of Hawai'i 2016, in which the Legislature took several steps to reduce opioid-related drug overdoses in the State by encouraging the use of opioid antagonists to assist individuals experiencing or at risk of experiencing an opioid-related drug overdose.

Kaiser Permanente notes that SB 535, SD1, HD1 will help to address objectives in the *Hawaii Opioid Initiative Action Plan*, which is a statewide road map for prevention and treatment of opioid and other substance misuse issues. One of the key focus areas pertains to prevention and pharmacy-based interventions. Specifically, it will help in furtherance of *Objective 5-1b*, which seeks to "modify Hawaii Revised Statutes to allow pharmacists prescriptive authority to prescribe

Naloxone to patients and **community members** to increase access to life-saving medication” (emphasis added).¹

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

¹ *The Opioid Initiative 2.0: A Statewide Response to Opioid Use and Other Substance Misuse*, page 17, available at: https://health.hawaii.gov/substance-abuse/files/2019/01/The-Hawaii-Opioid-Initiative_2.pdf.
Kaiser Permanente Hawaii

SB-535-HD-1

Submitted on: 3/24/2019 11:23:29 AM

Testimony for JUD on 3/25/2019 2:00:00 PM

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

Comments:



March 25, 2019

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

Re: SB 535, SD1, HD1 – Relating to Pharmacists Prescribing and Dispensing of Opioid Antagonist

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

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 535, SD1, HD1, which authorizes pharmacists, acting in good faith and exercising reasonable care, to prescribe and dispense an opioid antagonist to patients at risk of overdose, and family members and caregivers of patients at risk of overdose.

HMSA appreciates the intent of this Bill and we support the clarifications that are being introduced by the Board of Pharmacy with agreement from all stakeholders.

Thank you for allowing us to testify on SB 535, SD1, HD1.

Sincerely,

A handwritten signature in black ink, appearing to read "Pono Chong", with a stylized flourish extending to the right.

Pono Chong
Vice President, Government Relations



LATE

SB535 SD1 HD1 Pharmacists Prescribe/Dispense Naloxone

COMMITTEE ON JUDICIARY:

- Rep. Lee, Chair; Rep. San Buenaventura, Vice Chair
- Monday, Mar. 25 2019: 2:00 pm
- Conference Room 325

Hawaii Substance Abuse Coalition Supports SB535 SD1 HD1:

GOOD MORNING CHAIR, VICE CHAIR 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 that pharmacies can provide opioid antagonist (naloxone) to individuals as well as their families or caregivers.

Utilizing pharmacy-based strategies to address prescription harm reduction for potential opioid misuse and/or overdose is a key national prevention initiative for curtailing the risk of opioid misuse/overdose.

This bill is a huge opportunity for our community to effectively address opioid overdose and misuse problems.

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

SB-535-HD-1

Submitted on: 3/25/2019 12:44:23 PM

Testimony for JUD on 3/25/2019 2:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Oâ€™ahu County Democrats Committee on Legislative Priorities	Support	No

Comments: