

SB 967

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

CLAYTON A. FRANK
DIRECTOR

DAVID F. FESTERLING
Deputy Director
Administration

TOMMY JOHNSON
Deputy Director
Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 967
BILL FOR AN ACT RELATING TO
CONTROLLED SUBSTANCES
Clayton A. Frank, Director
Department of Public Safety

Committee on Health
Senator David Y. Ige, Chair
Senator Josh Green, M.D., Vice Chair

Tuesday, February 9, 2009, 2:45 pm
State Capitol, Room 016

Senator Ige and Members of the Committee:

The Department of Public Safety supports Senate Bill 967 which is the Department's vehicle to update Hawaii's controlled substance laws in order to be consistent with amendments made in Federal law that are mandated by Section 329-11 Hawaii Revised Statutes. The amendments being proposed by Senate Bill 967 would add new drugs to schedules II and III of Hawaii's controlled substance laws sections 329-16(b), 329-16(e) and 329-18(g). The addition of these controlled substances is required by section 329-11(d) Hawaii Revised Statutes, which state that if a substance is added, deleted or rescheduled under federal law, the Department shall recommend to the Legislature that a corresponding change in Hawaii law be made. The Department would like to correct a spelling error on page 2 line 12 to read as follows:

(R) Tincture of opium.

Senate Bill 967 also proposes to amend section 329-33 and 329-34 to add language to indicate that if a registrant is required to surrender his Federal

controlled substance registration, the registrant must also surrender his State of Hawaii controlled substance registration.

Senate Bill 967 also proposes to amend section 329-38 relating to controlled substances prescriptions to allow pharmacies to transfer refills of Schedule III through V controlled substance prescriptions between islands. Senate Bill 967 also proposes to allow pharmacies that are electronically sharing a real-time, online database to transfer controlled substance prescriptions between their pharmacies up to the maximum refills permitted by law and designate procedures for these transfers.

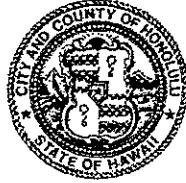
Senate Bill 967 proposes to amend section 329-41(a) (6) that requires all distributors of controlled substances to maintain a logbook to document the signature and identification number of the customer obtaining the controlled substance prescription. The Department is proposing that the dispensing registrant must also print the patients' full name and list the type of identification presented in the logbook.

Senate Bill 967 also proposes to amend section 329-52 relating to administrative inspections and warrants of controlled substance registrants to make this section consistent with inspection procedures utilized by the Department of Health. The new language being proposed is similar to that used by State Food and Drug Inspectors and would better allow the Department to safeguard the public. The requested deletion of the language relating to administrative inspection warrants is due to the fact that the Department utilizes search warrants for the seizure of records and property, and has not utilized administrative inspection warrants for well over twenty-three years.

In summary the Department of Public Safety strongly supports passage of Senate Bill 967 and would like to thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUFI HANNEKAMP
MAYOR



BOISSE P. CORREA
CHIEF

PAUL D. PUTZULU
KARL A. GOSSEY
DEPUTY CHIEFS

OUR REFERENCE LK-TA

February 9, 2009

The Honorable David Y. Ige, Chair
and Members
Committee on Health
The Senate
State Capitol
Honolulu, Hawaii 96813

Dear Chair Ige and Members:

Subject: Senate Bill No. 967, Relating to Controlled Substances

I am Louis Kealoha, Captain of the Narcotics/Vice Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 967, Relating to Controlled Substances.

To ensure consistency in the regulation and enforcement of controlled substances, the Federal Controlled Substances Act serves as the basis for classification of all controlled substances on a national level. It is the model upon which the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes, is based. Passage of this bill will update chapter 329 to be consistent with the Federal Controlled Substances Act.

The Honolulu Police Department urges you to support Senate Bill No. 967, Relating to Controlled Substances.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

for: 
BOISSE P. CORREA
Chief of Police


LOUIS KEALOHA, Captain
Narcotics/Vice Division

Testimony of
Phyllis Dendle
Director, Government Relation

Senate Committee on Health
The Honorable David Y. Ige, Chair
The Honorable Josh Green M.D., Vice Chair

February 9, 2009
2:45pm
Conference Room 016

SB 967 RELATING TO CONTROLLED SUBSTANCES

Chair Ige and committee members, thank you for this opportunity to provide testimony on SB 967 making amendments to Chapter 329 regarding the dispensing of pharmaceuticals.

Kaiser Permanente supports this bill.

The amendments in this bill permit pharmacies electronically sharing a real-time online data base to transfer up to the maximum refills permitted. The bill also clarifies the law concerning circumstances and performance of administrative inspections.

These amendments provide better protection for Hawaii residents by supporting the efficiency of pharmacies and the work of the narcotics enforcement division.

We urge you to pass this bill and thank you for your consideration.



Hawaii District Office: 2270 Hoonee Place, Honolulu, Hawaii 96819

Senator David Ige, Chair
Senator Josh Green, M.D., Vice Chair
Senate Committee on Health

Monday, February 9, 2009; 2:45 p.m.
Conference Room 016

RE: SB 967 – Relating to Controlled Substances

Chair Ige, Vice Chair Green, and members of the Committee:

My name is Todd Inafuku with CVS Caremark Longs Drugs ("Longs"), testifying in support of SB 967 which makes Hawaii's controlled substance laws consistent with that of Federal law and clarifies sections of chapter 329 relating to controlled substances.

In addition to making Hawaii's law consistent with Federal requirements for the refills of controlled substance prescriptions, this bill allows controlled substances prescriptions with refills to be refilled between islands. This change will enable pharmacies throughout Hawaii to meet the prescription needs of patients.

Longs supports this and other measures that ensure safe pharmacy practices while increasing access to healthcare for our customers. Thank you for the opportunity to support SB 967.