

**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE SENATE COMMITTEE ON WAYS AND MEANS

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Tuesday, February 23, 2010
10:05 a.m.

WRITTEN COMMENTS ONLY

**TESTIMONY ON SENATE BILL NO. 2810, S.D. 1, RELATING TO PRESCRIPTION
DRUGS.**

TO THE HONORABLE DONNA MERCADO KIM, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Dr. Elwin Goo, Chair of the Board of Pharmacy ("Board") and I appreciate the opportunity to submit written comments on Senate Bill No. 2810, S.D. 1, Relating to Prescription Drugs. The Board opposes Senate Bill No. 2810, S.D. 1.

This bill creates a new section in Chapter 461, Hawaii Revised Statutes ("HRS") to allow pharmacists to provide medication therapy management services to QUEST patients pursuant to the promulgation of administrative rules and to mandate all pharmacies and remote dispensing pharmacies to maintain prescription records electronically and to be able to accept and transmit prescription information electronically in accordance with the provisions of Chapter 328, HRS.

The Board is unclear as to the purpose of this bill that would require pharmacists to perform aspects from their scope of practice defined in Chapter 461, HRS for a specific group of Hawaii residents, QUEST patients. The "Practice of pharmacy" as defined in Chapter 461, HRS, already includes a collaborative agreement with other health professionals and encompasses medication therapy management as described

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in this bill as the professional activities and responsibilities within the registered pharmacist's scope of practice.

Section 2 of the bill requires all pharmacies and remote dispensing pharmacies to maintain prescription records electronically and to have the capability to accept and transmit prescription information electronically in accordance with the provisions of Chapter 328, HRS. The Board feels this is unnecessary since the Board allows required reference materials and prescription records to be maintained electronically. By requiring the electronic maintenance of prescription records, including the capability to accept and transmit prescription information, it may impose a financial burden on some pharmacies that may not have this capability and would have to upgrade their current system.

Thank you for the opportunity to provide comments on Senate Bill No. 2810, S.D. 1.

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MEMORANDUM

TO: Senator Donna Mercado Kim
Chair, Committee on Ways and Means
Hawaii State Capitol, Room 210
Honolulu, Hawaii 96813

Via e-mail: WAMTestimony@capitol.hawaii.gov

FROM: Mihoko E. Ito

DATE: February 22, 2010

RE: S.B. 2810, SD1 – Relating to Prescription Drugs
Hearing: Tuesday, February 23, 2010 at 10:05 a.m.

Dear Chair Kim and Members of the Committee on Ways and Means:

Walgreen Co. (“Walgreens”) operates and offers immunization services in all 50 states, the District of Columbia and Puerto Rico. To date, this program has allowed Walgreens to provide over 1.6 million H1N1 vaccines across the country. In Hawai‘i, Walgreens now has 9 stores on the islands of Maui and Oahu. Walgreens submits the following comments on S.B. 2810.

Walgreens **expresses concerns regarding S.B. 2810**, which authorizes pharmacists to provide medication therapy management to qualified QUEST patients and requires pharmacies to maintain prescription records and medication therapy management records electronically.

Walgreens has concerns regarding several aspects of this measure, but would like at this time to note that the requirement that pharmacies be able to transmit prescription information to other providers electronically is particularly problematic.

Walgreens presently has the capacity to maintain electronic prescription records, both locally and at a centralized location. Therefore, within its own system,

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Walgreens is able to record and maintain all of its prescription records electronically and does not have a problem with this language in the measure.

However, Walgreens believes that the requirement for providers to transmit prescriptions electronically cannot be accomplished within the present system. Walgreens is capable of transmitting prescriptions within its own system. However, for Walgreens to transmit prescription information from a Walgreens pharmacy to a provider outside of its system, its present practice is to do so by facsimile. This facsimile method is common practice, because providers have different systems that, due to their different technologies, are not capable of handling electronic transmission.

In short, there are present technological limitations to requiring electronic transmission of prescriptions. To be able to transmit the records in the true electronic format in which they are received via a physician's e-prescribing system, each system would need to be modified so they are able to communicate directly with one another.

For the foregoing reasons, Walgreens respectfully requests that language relating to the transmission of prescription information be removed. We note that a similar measure was heard before the Senate Committee on Commerce and Consumer Protection, and that S.B. 2811, SD1 contains the amendments to address this issue.