

STAND. COM. REP. NO.

2554

Honolulu, Hawaii

MAR 01 2018

RE: S.B. No. 2247
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2247 entitled:

"A BILL FOR AN ACT RELATING TO OPIOID ANTAGONISTS,"

begs leave to report as follows:

The purpose and intent of this measure is to expand the scope of registered pharmacists' practices by allowing registered pharmacists to prescribe, dispense, and provide related education on opioid antagonists without the need for a written, approved collaborative agreement.

Your Committee received testimony in support of this measure from the Department of Health; Board of Pharmacy; University of Hawaii Daniel K. Inouye College of Pharmacy; Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i; Drug Policy Forum of Hawaii; Hawaii Pharmacist Association; Hawaii Substance Abuse Coalition; Times Pharmacy; Walgreen Co.; Ho'omana Pono, LLC; The CHOW Project; and sixteen individuals. Your Committee received testimony in opposition to this measure from seven individuals. Your Committee received comments on this measure from the Hawaii Medical Service Association and Kaiser Permanente.

Your Committee finds that the nationwide opioid epidemic continues to result in an alarming number of opioid overdose deaths, and that drug overdoses are one of the leading causes of



injury-related mortality in Hawaii. Your Committee further finds that these deaths are often preventable via timely administration of an opioid antagonist, such as naloxone.

Your Committee further finds that pharmacists are well-situated to provide education about and access to opioid antagonists, just as pharmacists have previously helped raise immunization rates. Your Committee finds that mandatory written collaborative agreements between pharmacists and physicians are not necessary for the safe prescription and dispensation of opioid antagonists and impede timely, expanded access to opioid antagonists.

Your Committee has heard the concerns of the Board of Pharmacy, Walgreen Co., Times Pharmacy, and Kaiser Permanente that requiring pharmacists to obtain and maintain a written acknowledgment form may result in fewer pharmacists offering opioid antagonists. Your Committee finds that the written acknowledgment form, while well-intentioned, may provide a needless barrier to opioid antagonist access without offering significant protections to consumers. Further, these same testifiers raised to your Committee the concern that this measure is not specifically meant to address emergency administration of opioid antagonists, and that prohibiting pharmacists from requiring an appointment prior to prescribing an opioid antagonist forestalls the opportunity for pharmacists to discuss the use and effect of the opioid antagonist with the individual receiving the prescription. Your Committee agrees that the primary purpose of this measure is not to convert pharmacists into emergency responders, but rather to allow pharmacists to prescribe opioid antagonists and provide education ahead of time. Your Committee finds that allowing pharmacists to make appointments as appropriate will further the purposes of this measure.

Your Committee is aware of other concerns raised with respect to this measure and that additional discussion of this measure is warranted.

Your Committee has amended this measure by:

- (1) Clarifying that a pharmacist may prescribe and dispense an opioid antagonist to an individual who is at risk for an opioid overdose or prescribe and dispense an opioid



antagonist to a family member or caregiver of such individual;

- (2) Clarifying that an opioid antagonist prescribed and dispensed for a family member or caregiver of an individual when that same individual is at risk for an opioid overdose may be prescribed and dispensed in the name of the individual who is to be treated with the opioid antagonist or an "Opioid Antagonist Recipient" or "OAR";
- (3) Deleting the requirement for pharmacists to obtain and maintain a written acknowledgment form signed by the individual receiving the opioid antagonist;
- (4) Deleting the prohibition against pharmacists requiring an appointment before the pharmacist prescribes or dispenses an opioid antagonist;
- (5) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2247, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2247, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



