

HB 1602 HD2

Measure Title: RELATING TO OPIOIDS.

Report Title: Opioid; Warning Label

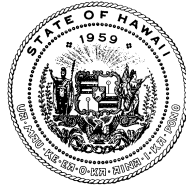
Description: Permits the inclusion of a label warning of the risks of addiction and death on the packaging of any opioid drug dispensed by a health care professional or pharmacist. (HB1602 HD2)

Companion:

Package: None

Current Referral: CPH

Introducer(s): THIELEN, C. LEE, LUKE, MIZUNO, MORIKAWA, NISHIMOTO, TAKUMI



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony COMMENTING on HB 1602 HD 2
RELATING TO OPIOIDS**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: March 28, 2018

Room Number: 229

1 **Fiscal Implications:** Undetermined

2 **Department Testimony:** This measure intends to educate patients about the dangers of opioid
3 use. The Department of Health (DOH) applauds the intent of this bill and recognizes the
4 commitment of the sponsors of this measure to step up state efforts to combat the opioid
5 epidemic through multi-faceted strategies such as warning labels and comprehensive health
6 insurance coverage for opioid treatment.

7 The DOH defers to the Department of Public Safety regarding the implementation of the
8 amendment to HRS Chapter 329E.

9 The DOH Alcohol and Drug Abuse Division (ADAD) believes that the prevalence of
10 substance use disorders encompass a wide variety of substances besides opioids and many who
11 suffer from the chronic illness of substance abuse, misuse multiple drugs. The ADAD is
12 committed to addressing both opioid misuse as well as the broader addiction problem in Hawaii
13 and has been working closely with other government and community entities to coordinate a
14 comprehensive response plan to address opioids and substance abuse in general. From a wider
15 chronic illness perspective, substance misuse and addiction represents significant public health
16 and economic burdens for Hawaii. This is presented in more detail in the Hawaii Opioid Action
17 Plan, which is found at: [https://health.hawaii.gov/substance-abuse/files/2013/05/The-Hawaii-](https://health.hawaii.gov/substance-abuse/files/2013/05/The-Hawaii-Opioid-Initiative.pdf)
18 [Opioid-Initiative.pdf](https://health.hawaii.gov/substance-abuse/files/2013/05/The-Hawaii-Opioid-Initiative.pdf)

19 According to the Hawaii Opioid Action Plan (Dec. 2017):

- 1 • There is an average of nearly 400 nonfatal overdose incidents each year, nearly
2 half of which require hospitalization; and
- 3 • The issue of opioid misuse and addiction cannot be fully appreciated unless seen
4 from a broader context of a chronic illness perspective, which shows that
5 substance misuse and addiction represents significant public health and economic
6 burdens for Hawaii:
- 7 ○ Workplace drug tests positive for methamphetamine were 410% higher
8 than the national average in 2011;
- 9 ○ Impaired driving deaths in Hawaii (2010-2014) were 39.4% compared to
10 the national average of 30.0%; and
- 11 ○ Data from ADAD-funded providers suggests that methamphetamine was
12 reported as the primary drug of choice upon admission for 53.4% of adults
13 receiving substance misuse treatment in FY2017.

14 Treatment admission data from 2010-2016 in Hawaii further underscores the need for a
15 focus on the broader addiction issue in the state and for a coordinated and comprehensive
16 approach to addiction in Hawaii.

17 Thank you for the opportunity to provide testimony.

**PRESENTATION OF THE
BOARD OF PHARMACY**

TO THE SENATE COMMITTEE ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, March 28, 2018
9:00 a.m.

TESTIMONY ON HOUSE BILL NO. 1602, H.D. 2, RELATING TO OPIOIDS.

TO THE HONORABLE ROSALYN H. BAKER, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Lee Ann Teshima, and I am the Executive Officer of the Hawaii State Board of Pharmacy ("Board"). Thank you for the opportunity to testify on H.B. 1602, H.D. 2, Relating to Opioids. The Board appreciates the intent of this bill and offers comments.

This measure addresses the national opioid epidemic by having health care professionals and pharmacist include a warning label when dispensing any opioid drug.

The Board respectfully recommends shortening the warning language so that it can fit on the label. In 2017, the Minnesota legislature passed a law that whenever a prescription drug containing an opiate is dispensed to a patient for outpatient use, the pharmacy or practitioner dispensing the drug must prominently display on the label or container a notice that states: "Caution: Opioid. Risk of overdose and addiction." The Minnesota law authorized this language to be part of the main prescription label or auxiliary labels, and the Board believes this would be an appropriate way to shorten the warning language proposed in this measure.

The Board also recommends deleting the requirement of displaying the warning language in all capital letters so that health care professionals and pharmacists can fit the warning language on the label when dispensing an opioid.

Thank you for the opportunity to provide comments on H.B. 1602, H.D. 2.

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

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No. _____

TESTIMONY ON HOUSE BILL 1602, HOUSE DRAFT 2
RELATING TO OPIOIDS

by

Nolan P. Espinda, Director
Department of Public Safety

Senate Committee on Commerce, Consumer Protection and Health
Senator Rosalyn H. Baker, Chair
Senator Jill N. Tokuda, Vice Chair

Wednesday, March 28, 2018; 9:00 a.m.
State Capitol, Conference Room 229

Chair Baker, Vice Chair Tokuda and Members of the Committee:

The Department of Public Safety (PSD) **supports the intent** of House Bill (HB) 1602, House Draft (HD) 2, which would permit the inclusion of a label warning of the risks of addiction and death on the packaging of any opioid drug dispensed by a health care professional or pharmacist. PSD also respectfully recommends that the proposed warning in HB1602, HD 2 be included on literature provided to the patient, when opioid drugs are dispensed by practitioners and pharmacists.

Thank you for the opportunity to present this testimony.

HB-1602-HD-2

Submitted on: 3/26/2018 8:49:26 PM

Testimony for CPH on 3/28/2018 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

To the Honorable Rosalyn H. Baker, Chair; the Honorable Jill N. Tokuda, Vice-Chair, and Members of the Committee on Commerce, Consumer Protection and Health:

Good morning, my name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") on Legislative Priorities of the Democratic Party of Hawaii. Thank you for the opportunity to provide written testimony on **HB1602 HD2** relating to opioids and warning labels.

The OCC Legislative Priorities Committee is in favor of **HB1602 HD2** and support its passage.

HB1602 HD2 is in alignment with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it permits the inclusion of a label warning of the risks of addiction and death on the packaging of any opioid drug dispensed by a health care professional or pharmacist.

The DPH Platform states that "[w]e support community health initiatives that provide opportunities for the overall health of communities through strategic projects and programs focusing on increased interaction and physical activities among all age groups, as well as on better nutrition.

We also support the establishment of adequate mental health and statewide drug rehabilitation programs set up in conjunction with policing policies aimed at enabling all that seek assistance to obtain whatever support assistance is needed to allow them to remain free of drug dependence.(Platform of the DPH, P. 7, Lines 378384 (2016)).

Given that **HB1602 HD2** permits the inclusion of a label warning of the risks of addiction and death on the packaging of any opioid drug dispensed by a health care professional or pharmacist, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ Melodie Aduja

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Text/Tel.: (808) 258-8889



HAWAII CHAPTER - AMERICAN PHYSICAL THERAPY ASSOCIATION

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HB 1602hd2, Relating to Opioids
Senate CPH Committee Hearing
Wednesday, March 28, 2018
9:00 am Room 229
Position: Support

Chair Baker, Vice Chair Tokuda and Members of the Commerce, Consumer Protection and Health Committee:

I am Gregg Pacilio, PT and Board President of the Hawaii Chapter of the American Physical Therapy Association (HAPTA), a non-profit professional organization serving more than 340 member Physical Therapists and Physical Therapist Assistants. Our members are employed in hospitals and health care facilities, the Department of Education school system, and private practice. We are movement specialists and are part of the spectrum of care for Hawaii, and provide rehabilitative services for infants and children, youth, adults and the elderly. Rehabilitative services are a vital part of restoring optimum functioning from neuromusculoskeletal injuries and impairments.

HAPTA **supports** the requirement of warning labels on Opioid prescriptions warning of potential addiction and harm. As physical therapists, our professional association, The American Physical Therapy Association (APTA), has started a movement within our profession to fight the growing epidemic of opioid addiction. The APTA and the Hawai'i chapter (HAPTA) have adopted the #choosePT tag to help bring attention to this growing non-injury or disease related cause of death. So we continue to support any means that align with our goals to promote the choice of alternative methods of treatment and decrease the abuse of opioids in health care.

Your support of HB 1602hd2 is appreciated. Thank you for the opportunity to testify. Please feel free to contact Justin Ledbetter, HAPTA's Wellness Issue Lead at (334) 740-0323 for further information.



SanHi

GOVERNMENT STRATEGIES
A LIMITED LIABILITY LAW PARTNERSHIP

DATE: March 27, 2018

TO: Senator Rosalyn Baker
Chair, Committee on Commerce, Consumer Protection, and Health
Submitted Via Capitol Website

RE: **H.B. 1602, H.D.2 Relating to Opioids**
Hearing Date: Wednesday, March 28, 2018 at 9:00 a.m.
Conference Room: 229

Dear Chair Baker and Members of the Committee on Commerce, Consumer Protection, and Health:

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 **supports the intent** of H.B.1602 with amendments, which permits the inclusion of a label warning of the risks of addiction and death on the packaging of any opioid drug dispensed by a health care professional or pharmacist.

Walgreens is committed to comprehensive efforts to combat drug abuse and has supported several measures to help with the opioid crisis. While not opposed to a warning label, we would also note that any policy regarding opioid warning labels needs to be balanced against having the opposite impact, where adding visuals could make opioids more attractive among other medications.

Walgreens appreciates the current version of this bill, which removed a mandatory font requirement in a prior draft of the bill. Because different pharmacies have different limitations, we believe it would be best to make a warning as simple as possible to implement.

There are other instructions on a prescription bottle that also need to be included and provide important information about opioids (like dosage, other side effects etc). Based on these concerns we would suggest that the bill remove the current wording of the warning and/or significantly shorten the warning language and allow flexibility for using similar wording to comply.

Thank you for the opportunity to submit testimony regarding this bill.



HB1602 HD2 Labeling Opioid Prescription Containers

COMMITTEE ON COMMERCE, CONSUMER PROTECTION & HEALTH:

- Senator Rosalyn Baker, Chair; Senator Jill Tokuda, Vice Chair
- Wednesday, March 28, 2018: 9:00 am
- Conference Room 229

Hawaii Substance Abuse Coalition (HSAC) Supports the Intent for HB1602 HD2 and Offers Recommendations:

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 alcohol and drug treatment and prevention agencies.

Recommendations

1. Reduce the font size that is too big for small bottles;
2. Add enforcement provisions that coincide with our regulatory environment;
3. Determine the lowest possible dosage levels for prescriptions since this involves doctors determining medical necessity.

HSAC wholeheartedly agrees with the language in the narrative in Section 1 that:

4. More comprehensive health insurance coverage is needed for the treatment of opioid dependence;
5. Data collection on opioid overdoses and deaths must be more comprehensive.

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