

STAND. COM. REP. NO.

777

Honolulu, Hawaii

March 6, 2015

RE: H.B. No. 1176

H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and
Judiciary, to which was referred H.B. No. 1176, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION,"

beg leave to report as follows:

The purpose of this measure is to address the regulation of
prescription medication and narcotic drugs by, among other things:

- (1) Establishing a Narcotics Advisory Committee within the
Department of Public Safety to recommend acceptable
continuing medical education program topics and
curriculum to the Narcotics Enforcement Division,
- (2) Establishing a mandatory continuing medical education
program developed by the Narcotics Enforcement Division
of the Department of Public Safety for prescribing
practitioners who prescribe narcotic drugs;
- (3) Requiring that a pain medication agreement be executed
between a patient and any prescriber within the State of
a narcotic drug for use as a pain medication;
- (4) Requiring, beginning January 1, 2017, practitioners to
request patient information from the central repository
of controlled substance prescription information
maintained by the Department of Public Safety prior to
prescribing or dispensing a controlled substance to a

HB1176 HD2 HSCR CPC HMS 2015-2463



new patient and to request patient information from the central repository three times each year for a patient receiving chronic pain therapy;

- (5) Establishing the Overdose Prevention and Emergency Response Act, which creates immunity for individuals who prescribe, possess, dispense, or administer an opioid antagonist to respond to an opioid-related drug overdose; and
- (6) Appropriating funds for drug overdose recognition, prevention, and response, including the distribution and administration of naloxone hydrochloride.

The Department of Public Safety, Queen's Health Systems; Walgreens; Kaiser Permanente testified in support of the intent of this measure. The Hawaii Orthopedic Association and a few individuals testified in opposition to this measure. The Hawaii Medical Association provided comments on this measure.

Your Committees have amended this measure by deleting its contents and inserting the original provisions of H.B. 1176 as introduced, with the following amendments:

- (1) Specifying that no person licensed pursuant to Chapters 453 and 463E, Hawaii Revised Statutes, relating to medicine and surgery and podiatrists, respectively, shall:
 - (A) Prescribe more than three thirty-day sequential prescriptions authorizing the patient to receive a total of up to a ninety-day supply of a narcotic drug included in schedule II of title 21 United States Code section 812; and
 - (B) Authorize a prescription refill for a schedule III narcotic drug more than five times; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.



As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1176, H.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as H.B. No. 1176, H.D. 2.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary,



KARL RHOADS, Chair



ANGUS L.K. MCKELVEY, Chair



