

Honolulu, Hawaii

APR 06 2023

RE: H.B. No. 218  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 218, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require certain pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels; and
- (2) Require the Board of Pharmacy to adopt certain rules by December 31, 2024.

Your Committee received testimony in support of this measure from the National Federation of the Blind, National Organization of Parents of Blind Children Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Human Services and Board of Pharmacy.



Your Committee finds that currently, blind or visually impaired individuals who take prescription medications must often get assistance from others to read medication labels to determine what medicine they are taking. Furthermore, a person's eyesight can deteriorate as they age, and those in advanced age generally take more medication. In these cases, managing prescriptions independently and safely can become an overwhelming issue. This measure will help to reduce these concerns by requiring pharmacies to provide accessible prescription drug label information to individuals who are visually impaired.

Your Committee acknowledges the concerns raised in testimony that this measure, as currently written, provides a blanket exemption from the requirement to provide accessible prescription drug label information for pharmacies with not more than two pharmacists. Your Committee recognizes that all pharmacies, regardless of size, are covered by the Americans with Disabilities Act, and thus, even small pharmacies should be required to comply with the provisions of this measure, unless doing so would result in an undue burden. Therefore, amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by inserting language requiring pharmacies with not more than two pharmacists to request and receive an exemption from the Board of Pharmacy in order to be exempt from the requirements of this measure.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 218, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 218, H.D. 2, S.D. 2.

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




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JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB218 HD2SD1	HHS, CPN	3/29/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	5	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes