CONFERENCE COMMITTEE REP. NO.

444-08

Honolulu, Hawaii

April 24 , 2008

RE:

S.B. No. 2157

S.D. 1 H.D. 2

C.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2157, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to clarify the right of a pain patient to be prescribed controlled substances to relieve pain.

Specifically, this measure adds to the pain patient's bill of rights a provision that the relief of pain shall be guided by the medical principle that physical tolerance and dependence are normal consequences of sustained use of opiate medication, distinguishable from psychological dependency or addiction. This measure also provides that patients suffering severe acute or chronic pain shall be entitled to receive a prescription of opiate medication, if requested by the patient; provided that the patient is not addicted to the opiate and the opiate is appropriate for treatment.

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Furthermore, this measure extends the length of time for a schedule II controlled substance prescription to be filled from three to seven days after the prescription is issued to the patient.

Your Committee on Conference has amended this measure by:

- (1) Deleting reference in the purpose section to controlling pain from disease and chronic conditions, and references to a 1999 survey and a research publication; and
- (2) Changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2157, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2157, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

JOSHUK B. GREEN, M.D., Co-Chair

BLAKE K. OSHIRO, Co-Chair

MARCHE R OSHIRO Co-Chair

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DAVID V JGE CO-Chair

## CCR 44

## Hawaii State Legislature

## Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2157, SD 1, HD 2				Date/Time: 4/23/08 4:15pm					
The recommendation of the House and Senate managers is to pass with amendments (CD).									
☐ The Committee is reconsidering its previous decision.									
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure				The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.					
Senate Managers	A	WR	N	E	House Managers	A	WR	N	Е
TANIGUCHI, Brian T., Chr.					GREEN, Josh, M.D., Co-Chr.				
IGE, David Y., Co-Chr.					OSHIRO, Blake K., Co-Chr.				
SLOM, Sam				V	OSHIRO, Marcus R., Co-Chr.	V			
					MIZUNO, John	V			W
					WARD, Gene, Ph.D.	abla			,
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TOTAL	2				TOTAL	_			
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A = Aye WR = Aye with Reservations N = Nay E = Excused  Senate Recommendation is: House Recommendation is:									
Adopted Not Adopted				Adopted Not Adopted					
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
Distribution: Original File with Conference Committee Report How				Yellow Pink Goldenrod use Clerk's Office Senate Clerk's Office Drafting Agency					