

STAND. COM. REP. NO. **103**

Honolulu, Hawaii

FEB 09 2007

RE: S.B. No. 257

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 257
entitled:

"A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES,"

begs leave to report as follows:

The purpose of this measure is to preclude controlled
substances from being sold on the streets by preventing the
improper prescribing and dispensing of pharmaceuticals in the
State.

Your Committee received testimony in support of this measure
from the Department of Public Safety and Kaiser Permanente.

Your Committee finds that pharmaceutical controlled
substances are being fraudulently prescribed by practitioners
through the Internet, telephone, and mail without a proper medical
reason or examination.

Your Committee intends to accomplish the purpose of this
measure by:

- (1) Enabling the Department of Public Safety to bring an
administrative action against a controlled substance
registrant for violations of Chapter 329, Hawaii Revised
Statutes;
- (2) Adding the definition of "bona fide practitioner-patient
relationship" to establish minimum guidelines that must



be met prior the administering, prescribing, or dispensing of controlled substances;

- (3) Clarifying the requirements for oral prescriptions issued to a pharmacy and record keeping requirements for all controlled substances;
- (4) Clarifying that it is a violation of state law to pre-sign blank prescriptions to facilitate the fraudulent obtaining of controlled substances; and
- (5) Enabling the Department of Public Safety to conduct administrative inspections of pharmacies and deleting the requirement for administrative inspection warrants.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 257 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Health,




DAVID Y. IGE, Chair



The Senate
Twenty-Fourth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 257	Committee Referral: HTH, JDL	Date: 2/2/07		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
FUKUNAGA, Carol (VC)	✓			
BAKER, Rosalyn H.	✓			
MENOR, Ron	✓			
WHALEN, Paul				✓
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency				

*Only one measure per Record of Votes