



Compounding the Joy of Living[®]



February 1, 2024

Hawaii State Legislature
House Committee on Consumer Protection & Commerce
House Committee on Finance
415 S Beretania St.
Honolulu, HI 96813

Dear Members of the House Committee on Consumer Protection & Commerce and House Committee on Finance:

I am writing on behalf of the Alliance for Pharmacy Compounding (APC) and the National Community Pharmacists Association (NCPA) in response to HB 2554.

The Alliance for Pharmacy Compounding is the voice for pharmacy compounding, representing more than 600 compounding small businesses – including compounding pharmacists and technicians in both 503A and 503B settings – as well as prescribers, educators, researchers, and suppliers.

NCPA represents America's community pharmacists, including 19,400 independent community pharmacies. Together, our members represent a \$78.5 billion healthcare marketplace, employ 240,000 individuals, and provide an expanding set of healthcare services to millions of patients every day. Our members are small business owners who are among America's most accessible healthcare providers.

HB 2554 creates the requirement for "pharmacies, other than on-site pharmacies in institutional facilities, to make a pharmacy intern, pharmacy technician, pharmacy employee, or an employee of the retail establishment the pharmacy is located in available to assist a registered pharmacist at all times the pharmacy is open to the public." While this proposal is intended to protect pharmacists, it would be ideal to include an amendment that clarifies the situations in which the Board of Pharmacy will not take action against a pharmacy for not complying with the requirements.

There are pharmacies that may experience extenuating circumstances that make compliance difficult, and we urge the inclusion of the following language to HB 2554:

"The board shall not take action against a pharmacy for a violation of this section if both of the following apply:

(1) Another employee is unavailable to assist the pharmacist due to reasonably unanticipated circumstances, including, but not limited to, illness, injury, family emergency, or the employee's termination or resignation.

(2) The pharmacy takes all reasonable action to make another employee available to assist the pharmacist or the owner is serving as the pharmacist-in-charge and is the only employee.”

We urge you to add the proposed amendment to clarify this requirement.

Thank you for this opportunity to comment on this proposed provision in HB 2554. Please direct any questions to me at scott@a4pc.org.

Best,

ALLIANCE FOR PHARMACY COMPOUNDING & NATIONAL COMMUNITY PHARMACISTS ASSOCIATION