

## 2008 Hawaii Legislative Session: Summary of Bills Passed

The following Bills, which may impact Pharmacy Practice, were passed by the 2008 Hawaii Legislature and have been forwarded to the Governor for her decision of whether to approve or veto or allow to become law without her signature. For a status update of these bills, check <http://www.capitol.hawaii.gov>.

Bill Number	Bill Title	Highlights of Bill Additions/Changes
HB7 HD1 SD1  <b>ACT 59 approved 5-2-2008</b>	Relating to the I-SaveRx Prescription Drug Program	Amends Chapter 346, HRS. <ul style="list-style-type: none"> <li>• Allows Hawaii Residents to refill prescriptions from pharmacies in Canada, the United Kingdom, Australia &amp; New Zealand.</li> <li>• Program must be operational &amp; available to Hawaii residents by July 1, 2009.</li> <li>• State of Hawaii will participate in the I-SaveRx prescription drug program with the State of Illinois &amp; other states in the program as defined in the PBM agreement.</li> <li>• Residents can order 3-month supply of Rx refills on the I-SaveRx internet website that is maintained by the PBM</li> </ul>
SB1487 SD2 HD2 CD1  <b>Effective on July 1, 2008 upon approval.</b>	Relating to Controlled Substances	Amends Chapter 329, HRS <ul style="list-style-type: none"> <li>• Adds two new definitions: "Designated member of the health care team" and "Physician-patient relationship"</li> <li>• Updates CS schedules/definitions to be consistent with federal law</li> <li>• For oral Rxs, RPh shall reduce Rx to writing including the following elements – drug name, strength, dosage form, qty in figures only, directions for use, date Rx received, practitioner full name, practitioner DEA#, practitioner oral code, name &amp; address of person Rx is for.</li> <li>• Makes it unlawful for a practitioner to pre-date or pre-sign Rxs to facilitate the obtaining or attempted obtaining for CS.</li> <li>• Makes it unlawful for a practitioner to facilitate the issuance or distribution of a written Rx when not physically in the State</li> <li>• Makes it unlawful for a practitioner to issue an oral Rx for CS when not physically in the State.</li> <li>• Makes it unlawful for a person to administer or prescribe CS if their registration has expired.</li> <li>• Immediate suspension to dispense CS if pharmacy or practitioner fails to transmit information for the electronic prescription accountability system.</li> </ul>
SB1491 SD1 HD2  <b>Effective on approval</b>	Relating to Controlled Substances	Amends Chapter 329, HRS <ul style="list-style-type: none"> <li>• Authorizes use of CS registration funds to offset costs of NED investigations</li> <li>• Updates CS schedules/definitions to be consistent with federal law</li> <li>• Reinstates sales restrictions for liquid, liquid capsule, or gel capsule forms of pseudoephedrine</li> </ul>
SB2157 SD1 HD2 CD1  <b>Effective on approval</b>	Relating to Health	Amends Chapter 327, HRS <ul style="list-style-type: none"> <li>• Clarifies the patient's right to be prescribed CS to relieve pain</li> <li>• Increases the time to fill a CII Rx from 3 days to 7 days following the date the Rx was written</li> </ul>
SB2373 SD1 HD2 CD1  <b>Effective on July 1, 2008 upon approval, except the pharmacy or retailer has until January 1, 2010</b>	Relating to Pseudoephedrine Sales	Amends Chapter 329, HRS <ul style="list-style-type: none"> <li>• For sales of pseudoephedrine, the person purchasing/acquiring the product shall produce proper identification that contains the person's photograph, date of birth, printed name, signature &amp; address</li> <li>• The pharmacy or retailer shall record the following information in an electronic log on software provided by the NED: <ol style="list-style-type: none"> <li>1. Date of transaction</li> <li>2. Name, address, date of birth of the purchasing person</li> <li>3. Type of identification provided by the purchasing person</li> </ol> </li> </ul>

Bill Number	Bill Title	Highlights of Bill Additions/Changes
<p><b>to establish the electronic log using software provided by the NED</b></p>		<ul style="list-style-type: none"> <li>4. The name of the agency issuing the ID provided by the purchasing person</li> <li>5. Name of the pseudoephedrine product &amp; quantity sold</li> <li>• The pharmacy or retailer will transmit the log to the NED monthly and retain the information for 2 years</li> <li>• Reinstates sales restrictions for liquid, liquid capsule, or gel capsule forms of pseudoephedrine</li> <li>• Sets penalty for persons who violate this section as Class C felony.</li> <li>• Failure to transmit sales information is a misdemeanor and will result in immediate suspension of pseudoephedrine sales</li> </ul>
<p>SB2459 SD2 HD1 CD1</p> <p><b>Effective on approval</b></p>	<p>Relating to Remote Dispensing</p>	<p>Amends Chapter 461, HRS</p> <ul style="list-style-type: none"> <li>• Describes remote dispensing pharmacy, operations, physical set-up, security, counseling requirements, equipment requirements, policies &amp; procedures</li> <li>• Prohibits remote dispensing pharmacy within a 5-mile radius of any pharmacy, with the following exceptions <ul style="list-style-type: none"> <li>1. Any remote dispensing pharmacy established prior to the effective date of this Act</li> <li>2. If a pharmacy is established within a 5 mile radius of an existing remote dispensing pharmacy, encourage relocation of the remote dispensing pharmacy</li> </ul> </li> <li>• Prohibits remote dispensing pharmacy use <ul style="list-style-type: none"> <li>1. For patients with health insurance coverage except for Quest patients</li> <li>2. By any 431-10A or 432-1 health insurance provider group, hospital or medical service</li> </ul> </li> <li>• Allows remote dispensing pharmacies for <ul style="list-style-type: none"> <li>1. Mobile medical clinics in counties with a population less than 100,000</li> <li>2. Federal qualified health centers not within a 5 mile radius of a pharmacy unless exempt</li> </ul> </li> <li>• Adds 5 new definitions for “remote dispensing”, “remote dispensing machine”, “remote dispensing pharmacy”, “remote dispensing technician”, “responsible pharmacy”</li> <li>• Requires the responsible pharmacy to submit an application permit to the Board for approval prior to operating a remote dispensing pharmacy</li> </ul>