

S.B. NO. 1393

JAN 25 2023

A BILL FOR AN ACT

RELATING TO METHADONE TREATMENT PROGRAMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 329-40, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Registration of a methadone treatment program
4 requires that:

5 (1) The methadone treatment program obtain a controlled
6 substance registration from the State of Hawaii and
7 the Drug Enforcement Administration;

8 (2) The medical director of a methadone treatment program
9 obtain a controlled substance registration from the
10 State of Hawaii and the Drug Enforcement
11 Administration at the location of the program;

12 (3) Admission to a methadone treatment program be limited
13 to the narcotic-dependent persons as defined in this
14 chapter;

15 (4) Unless otherwise stated in this chapter, admission to
16 a methadone treatment program be in accordance with

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- 1 Title 21 Code of Federal Regulations Part 291 and
2 Title 42 Code of Federal Regulations Part 8;
- 3 (5) All medical orders including initial medication
4 orders, all subsequent medication order changes, all
5 changes in the frequency of take-home medication, and
6 the prescription of additional take-home medication
7 for emergency situations be authorized by a licensed
8 registered physician employed by the program;
- 9 (6) Only the medical director or other designated program
10 physician authorize a patient's admission for
11 treatment in accordance with Title 21 Code of Federal
12 Regulations Part 291 and Title 42 Code of Federal
13 Regulations Part 8; and
- 14 (7) Take-home doses of methadone be dispensed to patients
15 in accordance with Title 21 Code of Federal
16 Regulations Part 291 and Title 42 Code of Federal
17 Regulations Part 8, but shall not exceed [~~a fourteen-~~
18 ~~day supply~~] the maximum days of supply allowable under
19 federal law at any given time nor more than the
20 maximum amount of take-homes for Levo-
21 alphacetylmethadol (LAAM/Orlamm) that would allow a
22 patient to be away from the clinic for dosing for more

1 than two weeks unless authorized by the state

2 authority.

3 The term "methadone treatment program" as used in this
4 section means an organization or a person (including a private
5 physician) that administers or dispenses methadone to a
6 narcotic-dependent person for maintenance or detoxification
7 treatment and who provides the medical and rehabilitative
8 services required by Title 21 Code of Federal Regulations Part
9 291 or Title 42 Code of Federal Regulations Part 8 and is
10 approved to do so by the State and by the United States
11 Substance Abuse and Mental Health Services Administration, and
12 who holds a controlled substance registration as required by
13 this chapter and the United States Drug Enforcement
14 Administration to use methadone for the treatment of narcotic-
15 dependent persons.

16 The term "narcotic-dependent person" as used in this
17 section means an individual who physiologically needs heroin or
18 a morphine-like drug to prevent the onset of signs of
19 withdrawal.

20 The term "state authority" as used in this section means
21 the agency within the State [~~which~~] that exercises the

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1 responsibility for governing the treatment of narcotic-dependent
2 persons with the narcotic drug methadone."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

8

BY REQUEST

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Report Title:

Methadone Treatment Programs; Maximum Supply Limits

Description:

Amends section 329-40, Hawaii Revised Statutes (HRS), to allow the medical director of a methadone treatment program to dispense the maximum days of supply of take-home doses as allowed under federal law to a patient.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Public Safety.

TITLE: A BILL FOR AN ACT RELATING TO METHADONE TREATMENT PROGRAMS.

PURPOSE: To enable the medical director of a methadone treatment program to dispense to a patient the maximum days of supply of take-home doses allowed under federal law.

MEANS: Amend section 329-40(b), Hawaii Revised Statutes (HRS).

JUSTIFICATION: This bill seeks to ensure that the limits for dispensing take-home doses of methadone in Hawaii law are consistent with federal law and that patients have access to the maximum number of doses needed for their treatment. This bill will also serve to minimize patient and staff inconvenience and the waste of important healthcare resources. The bill would reduce barriers to effective treatment and reduce the unnecessary waste of healthcare resources.

Impact on the public: Increased positive public health outcomes for the community.

Impact on the department and other agencies: Increased needed assistance to the Department of Health and private methadone treatment programs.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: PSD 502.

OTHER AFFECTED AGENCIES: Department of Health.

EFFECTIVE DATE: Upon approval.