

# S.B. NO. 1397

JAN 25 2023

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## A BILL FOR AN ACT

RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

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

1           SECTION 1. Section 329-101, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3           "(d) Under the system:

4           (1) Information on the filling of prescriptions for  
5 designated controlled substances and the dispensing of  
6 drug samples by a licensed practitioner shall be  
7 reported in numerical format [7] at least once every  
8 day, provided that if no controlled substances are  
9 dispensed, then a report of "zero" shall be reported  
10 not less than once every seven days [~~7~~, ~~on the filling~~  
11 ~~of prescriptions for designated controlled substances~~  
12 ~~and the dispensing of drug samples by a licensed~~  
13 ~~practitioner]~~; and

14           (2) Each dispenser shall maintain a record of such filled  
15 prescriptions, including all information described in  
16 subsection (c), for a period of five years. Each  
17 dispenser shall keep these records available for

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1 inspection and copying by the designated state  
2 agency."

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 Statutory material to be repealed is bracketed  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:**

Electronic Prescription Accountability System; Controlled Substances Reporting.

**Description:**

Amends subsection 329-101(d), Hawaii Revised Statutes, to require that a dispenser of a controlled substance report the filling of a controlled substance prescription and the dispensing of drug samples to the State's Electronic Prescription Accountability System at least once every day, or a report of "zero" be reported not less than once every seven days if no controlled substances prescriptions are filled or drug samples are dispensed.

*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 THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

PURPOSE: To change the current requirement to report the dispensing of controlled substances and drug samples to the electronic prescription accountability system from at least once every seven days to at least once a day, and to require a daily dispensing report of "zero", when no controlled substances are dispensed, at least once every seven days.

MEANS: Amend section 329-101(d), Hawaii Revised Statutes.

JUSTIFICATION: The current nationwide trend for reporting of controlled substances dispensing is to submit reports on a daily basis. This bill moves Hawaii closer to what is becoming a national standard. Additionally, new federal requirements for daily reporting are pending implementation, and this bill will position the State to readily comply with those requirements.

Impact on the public: The proposed amendment would aid prescribers and pharmacists by providing information about a patient's controlled substance prescription history, thereby allowing better prescribing and dispensing decisions.

Impact on the department and other agencies: The proposed amendment would assist the department's Narcotics Enforcement Division in determining compliance with the reporting requirements in section 329-101.

GENERAL FUND: None.

OTHER FUNDS: None.

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PPBS PROGRAM  
DESIGNATION:

PSD 502.

OTHER AFFECTED  
AGENCIES:

Alcohol and Drug Abuse Division of the  
Department of Health.

EFFECTIVE DATE:

Upon approval.