
A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS.

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

1 SECTION 1. The legislature finds that appropriate, timely
2 pain management is an integral part of ensuring high quality,
3 patient-centered health care. As the rising danger of opiates
4 became clear, the legislature acted to put guardrails in place
5 to protect patients from the harmful effects of overprescribing,
6 long-term use, and addiction. However, the legislature
7 recognizes the need to balance these protections with the need
8 for timely patient access to appropriate pain management.
9 Therefore, there is a need to remove barriers to short-term
10 opiate prescriptions while maintaining protections against
11 overprescribing and patient misuse.

12 Accordingly, the purpose of this Act is to allow a patient
13 who has been seen in person by a health care provider to be
14 prescribed a three-day supply of opiates via telehealth by a
15 physician within the same medical group.

16 SECTION 2. Section 453-1.3, Hawaii Revised Statutes, is
17 amended by amending subsection (c) to read as follows:



1 "(c) Treatment recommendations made via telehealth,
2 including issuing a prescription via electronic means, shall be
3 held to the same standards of appropriate practice as those in
4 traditional physician-patient settings that do not include
5 [+]an[+] in-person visit but in which prescribing is
6 appropriate, including on-call telephone encounters and
7 encounters for which a follow-up visit is arranged. Issuing a
8 prescription based solely on an online questionnaire is not
9 treatment for the purposes of this section and does not
10 constitute an acceptable standard of care. For the purposes of
11 prescribing opiates or certifying a patient for the medical use
12 of cannabis, a physician-patient relationship shall only be
13 established after an in-person consultation between the
14 prescribing physician and the patient[-]; provided that a
15 patient who has been seen in person by a health care provider in
16 the same medical group as the prescribing provider authorized
17 pursuant to section 329-33, may be prescribed an opiate
18 prescription for a three-day supply or less via telehealth."

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval;
2 provided that the amendments made to section 453-1.3(c), Hawaii
3 Revised Statutes, by section 2 of this Act shall not be repealed
4 when that section is reenacted on December 31, 2025, pursuant to
5 section 8 of Act 107, Session Laws of Hawaii 2023.



Report Title:

Prescriptions; Opiates; Telehealth; Three-day Supply;
Physicians; Health Care Providers; Prescriptive Authority

Description:

Allows a patient who has been seen in person by a health care provider who is in the same medical group as the prescribing provider authorized pursuant to section 329-33, HRS, to be prescribed an opiate prescription for a three-day supply or less via telehealth. (SD1)

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