

JAN 15 2014

A BILL FOR AN ACT

RELATING TO NARCOTIC DRUGS.

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

SECTION 1. Section 329-38, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

"(e) ~~[No]~~ Except as otherwise provided for narcotic drugs listed in schedule III, no controlled substance in schedule III, IV, or V may be dispensed without a written, facsimile of a written, oral prescription of a practitioner, or receipt of an electronic prescription, except when a controlled substance is dispensed directly by a practitioner, other than a pharmacist, to an ultimate user. The practitioner, in dispensing a controlled substance in schedule III, IV, or V, shall affix to the package a label showing:

- (1) The date of dispensing;
- (2) The name, strength, and quantity issued of the drug;
- (3) The dispensing practitioner's name and business address;
- (4) The name of the patient;
- (5) The "use by" date for the drug, which shall be:



1 (A) The expiration date on the manufacturer's or
2 principal labeler's container; or

3 (B) One year from the date the drug is dispensed,
4 whichever is earlier;

5 (6) Directions for use; and

6 (7) Cautionary statements, if any, contained in the
7 prescription or as required by law.

8 A complete and accurate record of all schedule III, IV, and V
9 controlled substances administered, prescribed, and dispensed
10 shall be maintained for five years. Prescriptions and records
11 of dispensing shall be retained in conformance with the
12 requirements of section 329-36 unless otherwise provided by law.

13 ~~[Prescriptions]~~ Except as otherwise provided for narcotic drugs
14 listed in schedule III, prescriptions may not be filled or
15 refilled more than three months after the date of the
16 prescription or be refilled more than two times after the date
17 of the prescription, unless the prescription is renewed by the
18 practitioner. For narcotic drugs listed in schedule III: no
19 narcotic drug listed in schedule III may be dispensed without a
20 written prescription of a practitioner, except when a narcotic
21 drug listed in schedule III is dispensed directly by a
22 practitioner, other than a pharmacist, to an ultimate user.



1 Prescriptions for narcotic drugs listed in schedule III shall be
2 limited to a thirty day supply and may not be refilled. For
3 purposes of prescribing narcotic drugs listed in schedule III,
4 "practitioner" shall be limited to a physician licensed and
5 registered under section 329-32 to distribute, dispense, or
6 prescribe a controlled substance in the course of professional
7 practice in this State."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2014.

11 INTRODUCED BY:

Josh Bree

Enzanne Chun Oakland



S.B. NO. 2055

Report Title:

Health; Narcotic Drugs; Controlled Substances Act; Prescriptive Authority

Description:

Amends prescriptive authority for narcotic drugs listed in schedule III of the controlled substances act by: requiring a written prescription from a practitioner; limiting the prescriptions to a thirty day supply with no refill; and limiting who may prescribe these drugs.

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