
A BILL FOR AN ACT

RELATING TO THE PRACTICE OF PHARMACY.

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

1 SECTION 1. The legislature finds that there is a need for
2 more access to healthcare professionals, particularly registered
3 pharmacists, who can safely provide certain health care services
4 to achieve positive health outcomes for patients. Pharmacists
5 provide the most direct access for patients to resolve public
6 health issues with minimum impact to the overall health system.
7 Technology has changed the delivery of healthcare over the last
8 thirty years, leaving the description of the practice of
9 pharmacy inaccurate. Pharmacy education has changed over the
10 years from an apprentice program to a six-year doctorate program
11 that includes education assessment training and a year of
12 internship working as a pharmacist intern team member. Pharmacy
13 education now includes immunization, smoking cessation training,
14 along with other specialty training so that pharmacists are well
15 prepared to take some of the public health burden to give all
16 patients the access they deserve to improve their quality of
17 life. A good example of how the pharmacists' role can impact



1 public health and cost is shown with immunization since
2 pharmacists were given limited providership about fifteen years
3 ago. Pharmacists now immunize more patients than any other
4 healthcare professionals and immunization rates have grown,
5 reducing disease and morbidity in the overall population.

6 Registered pharmacists who receive proper training, working
7 under written protocols, will be able to:

- 8 (1) Provide healthcare services such as furnishing
9 Naloxone and Epi-pens;
- 10 (2) Administer immunizations and vaccines for bacterial
11 and viral infections such as influenza, pneumonia, and
12 hepatitis A;
- 13 (3) Furnish and counsel patients on self-administered
14 hormonal conception and smoking cessation replacement
15 therapy; and
- 16 (4) Order and perform laboratory tests to determine
17 appropriate medication use and outcomes.

18 The legislature further finds that the disciplines of
19 medicine, nursing, and naturopathy are complemented by
20 registered pharmacists and that pharmacists are essential as



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1 part of the primary healthcare team to serve the interests of
2 the patient and the public health in general.

3 The purpose of this Act is to modernize the scope of the
4 practice of pharmacy to allow pharmacists to furnish specific
5 medications and services that directly impact public health and
6 the cost of healthcare.

7 SECTION 2. Section 461-1, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By adding a new definition to be appropriately inserted
10 and to read:

11 "Furnish" or "furnishing" means to supply by any means, by
12 sale or otherwise."

13 2. By amending the definition of "practice of pharmacy" to
14 read:

15 "Practice of pharmacy" means:

16 (1) (A) The interpretation and evaluation of prescription
17 orders; the compounding, dispensing, and labeling
18 of drugs and devices (except labeling by a
19 manufacturer, packer, or distributor of
20 nonprescription drugs and commercially legend
21 drugs and devices); the participation in drug



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1 selection and drug utilization reviews; the
2 proper and safe storage of drugs and devices and
3 the maintenance of proper records therefor; the
4 responsibility for advising when necessary or
5 where regulated, of therapeutic values, content,
6 hazards, and use of drugs and devices;

7 (B) Ordering drug therapy related laboratory tests;

8 (C) Administering:

9 (i) Immunizations orally, by injection, or by
10 intranasal delivery, to persons eighteen
11 years of age or older by a pharmacist having
12 appropriate training that includes programs
13 approved by the American Council for
14 Pharmacy Education (ACPE), curriculum-based
15 programs from an ACPE-accredited college of
16 pharmacy, state or local health department
17 programs, or programs recognized by the
18 board; and

19 (ii) The influenza vaccine to persons between
20 fourteen and seventeen years of age pursuant
21 to section 461-11.4;



- 1 (D) Transmitting a valid prescription to another
- 2 pharmacist for the purpose of filling or
- 3 dispensing;
- 4 (E) Providing consultation, information, or education
- 5 to patients and health care professionals based
- 6 on the pharmacist's training and for which no
- 7 other licensure is required; and
- 8 (F) Furnishing an opioid antagonist, Epi-pens,
- 9 hormonal contraception, travel medications, and
- 10 tobacco cessation nicotine replacement therapy by
- 11 a pharmacist who has received appropriate
- 12 training, including programs approved by the
- 13 ACPE, curriculum-based programs from an ACPE-
- 14 accredited college of pharmacy, state or local
- 15 health department programs, or programs
- 16 recognized by the board;
- 17 (2) Performing the following procedures or functions as
- 18 part of the care provided by and in concurrence with a
- 19 "health care facility" and "health care service" as
- 20 defined in section 323D-2, or a "pharmacy" or a
- 21 licensed physician or a licensed advanced practice



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1 registered nurse with prescriptive authority, or a
2 "managed care plan" as defined in section 432E-1, in
3 accordance with written policies, procedures, ~~[or]~~
4 protocols, or standing orders developed
5 collaboratively by health professionals, including
6 physicians and surgeons, pharmacists, and registered
7 nurses, and for which a pharmacist has received
8 appropriate training required by these policies,
9 procedures, or protocols:

10 (A) Ordering or performing routine drug therapy
11 related patient assessment procedures;

12 ~~[(B) Ordering drug therapy related laboratory tests;~~

13 ~~+(C)]~~ (B) Initiating emergency contraception oral drug
14 therapy in accordance with a written
15 collaborative agreement approved by the board,
16 between a licensed physician or advanced practice
17 registered nurse with prescriptive authority and
18 a pharmacist who has received appropriate
19 training that includes programs approved by the
20 American Council of Pharmaceutical Education
21 (ACPE), curriculum-based programs from an ACPE-



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1 accredited college of pharmacy, state or local
2 health department programs, or programs
3 recognized by the board of pharmacy;

4 ~~[(D)]~~ (C) Administering drugs orally, topically, by
5 intranasal delivery, or by injection, pursuant to
6 the order of the patient's licensed physician or
7 advanced practice registered nurse with
8 prescriptive authority, by a pharmacist having
9 appropriate training that includes programs
10 approved by the ACPE, curriculum-based programs
11 from an ACPE-accredited college of pharmacy,
12 state or local health department programs, or
13 programs recognized by the board of pharmacy;

14 ~~[(E)]~~ ~~Administering:~~

15 ~~(i) Immunizations orally, by injection, or by~~
16 ~~intranasal delivery, to persons eighteen~~
17 ~~years of age or older by a pharmacist having~~
18 ~~appropriate training that includes programs~~
19 ~~approved by the ACPE, curriculum-based~~
20 ~~programs from an ACPE accredited college of~~
21 ~~pharmacy, state or local health department~~



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1 ~~programs, or programs recognized by the~~
2 ~~board of pharmacy; and~~
3 ~~(ii) Vaccines to persons between fourteen and~~
4 ~~seventeen years of age pursuant to section~~
5 ~~461-11.4;~~
6 ~~(F)]~~ (D) As authorized by the written instructions of
7 a licensed physician or advanced practice
8 registered nurse with prescriptive authority,
9 initiating or adjusting the drug regimen of a
10 patient pursuant to an order or authorization
11 made by the patient's licensed physician or
12 advanced practice registered nurse with
13 prescriptive authority and related to the
14 condition for which the patient has been seen by
15 the licensed physician or advanced practice
16 registered nurse with prescriptive authority;
17 provided that the pharmacist shall issue written
18 notification to the patient's licensed physician
19 or advanced practice registered nurse with
20 prescriptive authority or enter the appropriate
21 information in an electronic patient record



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1 system shared by the licensed physician or
2 advanced practice registered nurse with
3 prescriptive authority, within twenty-four hours;
4 ~~[(G) Transmitting a valid prescription to another~~
5 ~~pharmacist for the purpose of filling or~~
6 ~~dispensing;~~
7 ~~(H) Providing consultation, information, or education~~
8 ~~to patients and health care professionals based~~
9 ~~on the pharmacist's training and for which no~~
10 ~~other licensure is required; or~~
11 ~~(I) Dispensing an opioid antagonist in accordance~~
12 ~~with a written collaborative agreement approved~~
13 ~~by the board, between a licensed physician and a~~
14 ~~pharmacist who has received appropriate training~~
15 ~~that includes programs approved by the American~~
16 ~~Council on Pharmaceutical Education (ACPE);~~
17 ~~curriculum based programs from an ACPE accredited~~
18 ~~college of pharmacy, state or local health~~
19 ~~department programs, or programs recognized by~~
20 ~~the board;] and~~



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1 (3) The offering or performing of those acts, services,
 2 operations, or transactions necessary in the conduct,
 3 operation, management, and control of pharmacy."

4 SECTION 3. This Act does not affect rights and duties that
 5 matured, penalties that were incurred, and proceedings that were
 6 begun before its effective date.

7 SECTION 4. Statutory material to be repealed is bracketed
 8 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Cindy Evans
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Report Title:

Healthcare; Practice of Pharmacy

Description:

Amends the definition of "practice of pharmacy."

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