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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. The legislature finds that opioid addiction is  
2 a growing problem in Hawaii. According to data from the federal  
3 Centers for Disease Control and Prevention, drug overdose deaths  
4 in Hawaii increased by eighty-three percent from 2006 to 2014, a  
5 growth rate more than double the national average of thirty-  
6 seven percent. Nearly half of those deaths are a result of  
7 prescription opioids.

8       Furthermore, the Centers for Disease Control also noted  
9 that sales of prescription opioids in the United States nearly  
10 quadrupled between 1999 and 2014, but there has not been an  
11 overall change in the amount of pain Americans report. The  
12 legislature further finds that the connection between increased  
13 prescriptions for opiates, and similar increases in overdose  
14 deaths and substance abuse problems from those prescriptions  
15 must be addressed.

16       Accordingly, the purpose of this Act is to make use of data  
17 available within the Electronic Prescription Accountability



1 System to inform prescribers on their opioid prescription rates  
2 in relation to their peers by grouping similarly situated  
3 practitioners and assigning them a percentile rank within the  
4 group according to total opiate prescriptions prescribed for the  
5 past year. Practitioners will be notified of their percentile  
6 ranking solely for the purpose of increasing awareness of their  
7 prescription habits; percentile ranking information produced  
8 under this Act will be inadmissible in all civil or criminal  
9 proceedings, and cannot be used as the sole purpose for  
10 investigation by a licensure board.

11 SECTION 2. Section 329-103, Hawaii Revised Statutes, is  
12 amended to read as follows:

13 "[+] §329-103 [+] **Designated state agency.** The designated  
14 state agency shall:

- 15 (1) Oversee and administer the collection of information  
16 under the system;
- 17 (2) Control access to the information in the system; [and]  
18 (3) Produce exception reports as defined in section 329-  
19 1 [-] i;
- 20 (4) Annually determine, through the electronic  
21 prescription accountability system established in



1 section 329-101, the mean and median quantity and  
2 volume of prescriptions for opiates contained in  
3 Schedule II controlled substances as defined in  
4 section 329-16 and Schedule III controlled substances  
5 as defined in 329-18 issued by practitioners  
6 registered under section 329-101; provided, however,  
7 that mean and median prescription quantities and  
8 volumes shall be determined within categories of  
9 practitioners of a similar specialty or practice type  
10 as determined by the department;

11 (5) Work in conjunction with the respective boards of  
12 licensure to annually determine each practitioner's  
13 Schedule II and Schedule III opiate prescribing  
14 quantity and volume, and the practitioner's standing  
15 with regard to the mean and median quantity and volume  
16 for the practitioner's category of specialty or  
17 practice type; provided, however, that the  
18 practitioner's standing shall be expressed as a  
19 percentile ranking for the practitioner within the  
20 practitioner's category. Each practitioner whose  
21 prescribing exceeds the mean or median within the



1           practitioner's category shall be sent notice of the  
2           practitioner's percentile ranking in a manner  
3           determined by the department. Any practitioner may  
4           request the practitioner's own percentile ranking  
5           within the practitioner's own category of practice.  
6           The ranking determined for each practitioner shall be  
7           confidential, shall be distributed by the department  
8           or by the relevant board of licensure only to the  
9           practitioner to which the information pertains, and  
10          shall not be admissible as evidence in a civil or  
11          criminal proceeding or be the sole basis for  
12          investigation by a licensure board; and  
13          (6) Coordinate with the respective boards of licensure to  
14          make resources available to prescribers regarding ways  
15          to change prescribing practices and incorporate  
16          alternative pain management options into a  
17          prescriber's practice."

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

20           SECTION 4. This Act shall take effect on January 1, 2019.



H.B. NO. 2631

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**Report Title:**

Electronic Prescription Accountability System; Opiates

**Description:**

Enhances the electronic prescription accountability system to inform prescribers of the percentile ranking of their opiate prescription practices as compared to their peers.

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

