

JAN 19 2018

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 prescribers of
2 controlled substances, including doctors, dentists, surgeons,
3 and podiatrists are required to register with the state
4 electronic prescription accountability system, and are required
5 to report information relevant to the dispensation of any
6 controlled substance before any controlled substance may be
7 dispensed. Prescribers are also permitted to view prescription
8 data of their own patients. However, prescribers are currently
9 not required to consult the state electronic prescription
10 accountability system before prescribing a controlled substance.

11 The legislature further finds that drug overdose rates have
12 increased catastrophically in Hawaii, increasing by eighty-three
13 per cent from 2006 to 2014. Thirty-five per cent of all drug
14 overdose deaths between 2010 and 2014 were caused by
15 prescription opioids alone.

16 The purpose of this Act is to reduce the access of the
17 public to potentially addictive substances by requiring



1 prescribers to consult the state electronic prescription
2 accountability system before issuing a prescription for certain
3 controlled substances.

4 SECTION 2. Chapter 329, Hawaii Revised Statutes, is
5 amended by adding a new section to part III to be appropriately
6 designated and to read as follows:

7 "§329- Prescriptions; additional restrictions. (a) The
8 prescription restrictions in this section shall apply in
9 addition to the restrictions described in section 329-38.

10 (b) No prescriber shall prescribe a schedule II, III, or
11 IV controlled substance without first requesting, receiving, and
12 considering records of the ultimate user from the state
13 electronic prescription accountability system as needed to
14 reduce the risk of abuse of or addiction to a controlled
15 substance, as needed to avoid harmful drug interactions, or as
16 otherwise medically necessary.

17 (c) The administrator of the state electronic prescription
18 accountability system shall promptly disclose only the requested
19 data to the requesting prescriber. Disclosure as required under
20 this section is permissible under the duty of confidentiality
21 imposed by section 329-104. To the extent that this section



1 conflicts with other state confidentiality and disclosure laws,
2 this section shall prevail."

3 SECTION 3. New statutory material is underscored.

4 SECTION 4. This Act shall take effect upon its approval.

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S.B. NO. 2646

Report Title:

Electronic Prescription Accountability System; Prescription
Drugs

Description:

Requires prescribers of certain controlled substances to consult the electronic prescription accountability system before issuing a prescription for the controlled substance.

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