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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

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

3           "(i) Prescriptions for controlled substances shall be  
4 issued only as follows:

5           (1) All prescriptions for controlled substances shall  
6 originate from within the State and be dated as of,  
7 and signed on, the day when the prescriptions were  
8 issued and shall contain:

9           (A) The first and last name and address of the  
10 patient; and

11           (B) The drug name, strength, dosage form, quantity  
12 prescribed, and directions for use. Where a  
13 prescription is for gamma hydroxybutyric acid,  
14 methadone, or buprenorphine, the practitioner  
15 shall record as part of the directions for use,  
16 the medical need of the patient for the  
17 prescription.



1 Except for electronic prescriptions, controlled  
2 substance prescriptions shall be no larger than eight  
3 and one-half inches by eleven inches and no smaller  
4 than three inches by four inches. A practitioner may  
5 sign a prescription in the same manner as the  
6 practitioner would sign a check or legal document  
7 (e.g., J.H. Smith or John H. Smith) and shall use both  
8 words and figures (e.g., alphabetically and  
9 numerically as indications of quantity, such as five  
10 (5)), to indicate the amount of controlled substance  
11 to be dispensed. Where an electronic prescription is  
12 permitted, either words or figures (e.g.,  
13 alphabetically or numerically as indications of  
14 quantity, such as five or 5), to indicate the amount  
15 of controlled substance to be dispensed shall be  
16 acceptable. Where an oral order or electronic  
17 prescription is not permitted, prescriptions shall be  
18 written with ink or indelible pencil or typed, shall  
19 be manually signed by the practitioner, and shall  
20 include the name, address, telephone number, and  
21 registration number of the practitioner. The



1 prescriptions may be prepared by a secretary or agent  
2 for the signature of the practitioner, but the  
3 prescribing practitioner shall be responsible in case  
4 the prescription does not conform in all essential  
5 respects to this chapter and any rules adopted  
6 pursuant to this chapter. In receiving an oral  
7 prescription from a practitioner, a pharmacist shall  
8 promptly reduce the oral prescription to writing,  
9 which shall include the following information: the  
10 drug name, strength, dosage form, quantity prescribed  
11 in figures only, and directions for use; the date the  
12 oral prescription was received; the full name, Drug  
13 Enforcement Administration registration number, and  
14 oral code number of the practitioner; and the name and  
15 address of the person for whom the controlled  
16 substance was prescribed or the name of the owner of  
17 the animal for which the controlled substance was  
18 prescribed.

19 A corresponding liability shall rest upon a  
20 pharmacist who fills a prescription not prepared in  
21 the form prescribed by this section. A pharmacist may



1 add a patient's missing address or change a patient's  
2 address on all controlled substance prescriptions  
3 after verifying the patient's identification and  
4 noting the identification number on the back of the  
5 prescription document on file. The pharmacist shall  
6 not make changes to the patient's name, the controlled  
7 substance being prescribed, the quantity of the  
8 prescription, the practitioner's Drug Enforcement  
9 Administration number, the practitioner's name, the  
10 practitioner's electronic signature, or the  
11 practitioner's signature;

- 12 (2) An intern, resident, or foreign-trained physician, or  
13 a physician on the staff of a Department of Veterans  
14 Affairs facility or other facility serving veterans,  
15 exempted from registration under this chapter, shall  
16 include on all prescriptions issued by the physician:
- 17 (A) The registration number of the hospital or other  
18 institution; and
  - 19 (B) The special internal code number assigned to the  
20 physician by the hospital or other institution in



1            lieu of the registration number of the  
2            practitioner required by this section.

3            The hospital or other institution shall forward a copy  
4            of this special internal code number list to the  
5            department as often as necessary to update the  
6            department with any additions or deletions. Failure  
7            to comply with this paragraph shall result in the  
8            suspension of that facility's privilege to fill  
9            controlled substance prescriptions at pharmacies  
10           outside of the hospital or other institution. Each  
11           written prescription shall have the name of the  
12           physician stamped, typed, or hand-printed on it, as  
13           well as the signature of the physician;

14           (3) An official exempted from registration shall include  
15           on all prescriptions issued by the official:

16           (A) The official's branch of service or agency (e.g.,  
17           "U.S. Army" or "Public Health Service"); and

18           (B) The official's service identification number, in  
19           lieu of the registration number of the  
20           practitioner required by this section. The  
21           service identification number for a Public Health



1           Service employee shall be the employee's social  
2           security or other government issued  
3           identification number.

4           Each prescription shall have the name of the officer  
5           stamped, typed, or handprinted on it, as well as the  
6           signature of the officer; and

7           (4) A physician assistant registered to prescribe  
8           controlled substances under the authorization of a  
9           supervising physician shall include on all controlled  
10          substance prescriptions issued:

11          (A) The Drug Enforcement Administration registration  
12          number of the supervising physician; and

13          (B) The Drug Enforcement Administration registration  
14          number of the physician assistant.

15          Each written controlled substance prescription issued  
16          shall include the printed, stamped, typed, or hand-  
17          printed name, address, and phone number of both the  
18          supervising physician and physician assistant, and  
19          shall be signed by the physician assistant. The  
20          medical record of each written controlled substance  
21          prescription issued by a physician assistant shall be



1 reviewed and initialed by the physician assistant's  
2 supervising physician within seven working days."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect on July 1, 2050;  
5 provided that the amendments made to section 329-38, Hawaii  
6 Revised Statutes, by section 1 of this Act shall not be repealed  
7 when that section is reenacted on June 30, 2023, pursuant to  
8 section 6 of Act 66, Session Laws of Hawaii 2017.



**Report Title:**

Pharmacists; Uniform Controlled Substances Act

**Description:**

Allows for the use of either words or figures to indicate quantity in prescriptions where electronic prescriptions are permitted. (HB667 HD1)

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

