H.B. NO. ⁶⁶⁷ H.D. 1

PROPOSED

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1	SECT	ION 1	. Section 329-38, Hawaii Revised Statutes, is		
2	amended b	y ame	nding subsection (i) to read as follows:		
3	"(i)	Pre	scriptions for controlled substances shall be		
4	issued only as follows:				
5	(1)	All	prescriptions for controlled substances shall		
6		orig	inate from within the State and be dated as of,		
7		and	signed on, the day when the prescriptions were		
8		issu	ed 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 and one-					
3	half inches by eleven inches and no smaller than three inches by					
4	four inches. A practitioner may sign a prescription in the same					
5	manner as the practitioner would sign a check or legal document					
6	(e.g., J.H. Smith or John H. Smith) and shall use both words and					
7	figures (e.g., alphabetically and numerically as indications of					
8	quantity, such as five (5)), to indicate the amount of					
9	controlled substance to be dispensed. <u>Where an electronic</u>					
10	prescription is permitted, either words or figures (e.g.,					
11	alphabetically or numerically as indications of quantity, such					
12	as five or 5), to indicate the amount of controlled substance to					
13	be dispensed shall be acceptable. Where an oral order or					
14	electronic prescription is not permitted, prescriptions shall be					
15	written with ink or indelible pencil or typed, shall be manually					
16	signed by the practitioner, and shall include the name, address,					
17	telephone number, and registration number of the practitioner.					
18	The prescriptions may be prepared by a secretary or agent for					
19	the signature of the practitioner, but the prescribing					
20	practitioner shall be responsible in case the prescription does					
21	not conform in all essential respects to this chapter and any					



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1 rules adopted pursuant to this chapter. In receiving an oral 2 prescription from a practitioner, a pharmacist shall promptly 3 reduce the oral prescription to writing, which shall include the 4 following information: the drug name, strength, dosage form, 5 quantity prescribed in figures only, and directions for use; the 6 date the oral prescription was received; the full name, Drug 7 Enforcement Administration registration number, and oral code 8 number of the practitioner; and the name and address of the 9 person for whom the controlled substance was prescribed or the 10 name of the owner of the animal for which the controlled substance was prescribed. 11

12 A corresponding liability shall rest upon a pharmacist 13 who fills a prescription not prepared in the form prescribed by 14 this section. A pharmacist may add a patient's missing address 15 or change a patient's address on all controlled substance 16 prescriptions after verifying the patient's identification and 17 noting the identification number on the back of the prescription 18 document on file. The pharmacist shall not make changes to the 19 patient's name, the controlled substance being prescribed, the 20 quantity of the prescription, the practitioner's Drug 21 Enforcement Administration number, the practitioner's name, the



1 practitioner's electronic signature, or the practitioner's 2 signature; 3 (2) An intern, resident, or foreign-trained physician, or 4 a physician on the staff of a Department of Veterans 5 Affairs facility or other facility serving veterans, 6 exempted from registration under this chapter, shall 7 include on all prescriptions issued by the physician: 8 The registration number of the hospital or other (A) 9 institution; and 10 (B) The special internal code number assigned to the 11 physician by the hospital or other institution in 12 lieu of the registration number of the 13 practitioner required by this section. 14 The hospital or other institution shall forward a copy 15 of this special internal code number list to the 16 department as often as necessary to update the 17 department with any additions or deletions. Failure 18 to comply with this paragraph shall result in the 19 suspension of that facility's privilege to fill 20 controlled substance prescriptions at pharmacies 21 outside of the hospital or other institution. Each

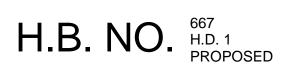


1		written prescription shall have the name of the		
2		physician stamped, typed, or hand-printed on it, as		
3		well as the signature of the physician;		
4	(3)	An official exempted from registration shall include		
5		on all prescriptions issued by the official:		
6		(A) The official's branch of service or agency (e.g.,		
7		"U.S. Army" or "Public Health Service"); and		
8		(B) The official's service identification number, in		
9		lieu of the registration number of the		
10		practitioner required by this section. The		
11		service identification number for a Public Health		
12		Service employee shall be the employee's social		
13		security or other government issued		
14		identification number.		
15		Each prescription shall have the name of the officer		
16		stamped, typed, or handprinted on it, as well as the		
17		signature of the officer; and		
18	4)	A physician assistant registered to prescribe		
19		controlled substances under the authorization of a		
20		supervising physician shall include on all controlled		
21		substance prescriptions issued:		

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1	(A) The Drug Enforcement Administration registration
2	number of the supervising physician; and
3	(B) The Drug Enforcement Administration registration
4	number of the physician assistant.
5	Each written controlled substance prescription issued shall
6	include the printed, stamped, typed, or hand-printed name,
7	address, and phone number of both the supervising physician and
8	physician assistant, and shall be signed by the physician
9	assistant. The medical record of each written controlled
10	substance prescription issued by a physician assistant shall be
11	reviewed and initialed by the physician assistant's supervising
12	physician within seven working days."
13	SECTION 2. New statutory material is underscored.
14	SECTION 3. This Act shall take effect upon its approval.
15	





Report Title: Uniform Controlled Substances Act

Description:

Updates section 329-38(i), Hawaii Revised Statutes, to be consistent with federal law under Title 21 of the Code of Federal Regulations to allow for the use of either words or figures, not both, to indicate quantity where electronic prescriptions are permitted.

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

