

S .B. NO. 1192

JAN 27 2021

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. Section 329-101, Hawaii Revised Statutes, is
2 amended as follows:

3 (1) By amending subsection (b) to read as follows:

4 "(b) The designated state agency shall determine those
5 schedules of controlled substances, classes of controlled
6 substances, [~~and~~] specific controlled substances that are
7 purportedly being misused and abused in the State[-], and opioid
8 antagonists used to reverse the effects of opioid overdoses. As
9 part of the controlled substance registration process, all
10 practitioners, except veterinarians, and pharmacies shall be
11 registered with the department to utilize the electronic
12 prescription accountability system. No identified controlled
13 substances or pharmacist-prescribed opioid antagonists may be
14 dispensed unless information relevant to the dispensation of the
15 substance or pharmacist-prescribed opioid antagonist is reported
16 electronically or by means indicated by the designated state
17 agency to the central repository established under section 329-
18 102, in accordance with rules adopted by the department."

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- 1 (2) By amending subsection (d) to read as follows:
- 2 "(d) Under the system:
- 3 (1) Information shall be reported in numerical format, not
- 4 less than once every seven days, including the
- 5 reporting of "zero" dispensing if no prescriptions for
- 6 designated controlled substances are filled, on the
- 7 filling of prescriptions for designated controlled
- 8 substances, pharmacist-prescribed opioid antagonists,
- 9 and the dispensing of drug samples by a licensed
- 10 practitioner; and
- 11 (2) Each dispenser shall maintain a record of such filled
- 12 prescriptions, including all information described in
- 13 subsection (c), for a period of five years. Each
- 14 dispenser shall keep these records available for
- 15 inspection and copying by the designated state
- 16 agency."

17 SECTION 2. Statutory material to be repealed is bracketed

18 and stricken. New statutory material is underscored.

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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: *M. P. ...*

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BY REQUEST

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Report Title:

Electronic Prescription Accountability System

Description:

Amends section 329-101(b) and (d), Hawaii Revised Statutes, to require that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System.

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

JUSTIFICATION SHEET

DEPARTMENT: Public Safety

TITLE: A BILL FOR AN ACT RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

PURPOSE: To amend section 329-101, Hawaii Revised Statutes (HRS), to require: (1) that the dispensing of a pharmacist-prescribed opioid antagonist be reported to the State's Electronic Prescription Accountability System (EPAS); and (2) that dispensers of a controlled substance report "zero" dispensing if no prescriptions for designated controlled substances are filled, not less than once every seven days.

MEANS: Amend section 329-101(b) and (d), HRS.

JUSTIFICATION: Proposed amendments to section 329-101, HRS, will accomplish the following:

- (1) Require the department's Narcotics Enforcement Division to identify the opioid antagonists that need to be reported to the Electronic Prescription Accountability System when they are dispensed pursuant to a prescription issued by a pharmacist;
- (2) Require that information related to the dispensing of an opioid antagonist, identified by the Narcotics Enforcement Division, pursuant to a prescription issued by a pharmacist, be reported to the Electronic Prescription Accountability System before it is dispensed;
- (3) Require that information on the filling of prescriptions related to pharmacist-prescribed opioid antagonists be reported to the Electronic Prescription Accountability System in numerical

format, not less than once every seven days; and

- (4) Require that dispensers of a controlled substance report "zero" dispensing, if no prescriptions for designated controlled substances are filled, not less than once every seven days.

Impact on the public: This bill is intended to: (1) increase efficiency in using the Electronic Prescription Accountability System (EPAS) for pharmacists when issuing a prescription for an opioid antagonist; and (2) potentially increase the number of pharmacist-prescribed opioid antagonist prescriptions, thereby increasing the availability of these lifesaving drugs in the community.

Impact on the department and other agencies: These proposed amendments would assist the department's Narcotics Enforcement Division in determining compliance with the reporting requirements in section 329-101(d), and provide useful data for the Department of Health in studying the efficacy of Act 255, Session Laws of Hawaii 2019, which allowed a pharmacist to independently prescribe opioid antagonists to the public.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: PSD 502.

OTHER AFFECTED AGENCIES: Department of Health.

EFFECTIVE DATE: Upon approval.