

JAN 22 2021

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 several laws to
2 address the nationwide opioid epidemic were passed during the
3 2018 and 2019 legislative sessions, including laws allowing
4 pharmacists to prescribe and dispense opioid antagonists to
5 patients who are at risk of an opioid overdose; requiring health
6 care providers in the workers' compensation system to adopt and
7 maintain policies for informed consent to opioid therapy in
8 circumstances that carry elevated risk of dependency; limiting
9 concurrent opioid and benzodiazepine prescriptions in the
10 workers' compensation system; and requiring packaging on opioid
11 drugs to include a label warning of the risks of overdose and
12 addiction.

13 However, the legislature finds that additional measures
14 need to be enacted to address the safe disposal of unused or
15 unwanted opioid drugs. Allowing pharmacies to accept
16 prescription drugs for disposal provides a convenient,



1 accessible method for Hawaii residents to dispose of opioid
2 drugs that are no longer needed.

3 The purpose of this Act is to:

4 (1) Authorize certain pharmacies to collect prescription
5 drugs for disposal via secured collection receptacles
6 or mail-back programs; and

7 (2) Prohibit pharmacies from redispensing or returning
8 prescription drugs that have been returned for
9 disposal.

10 SECTION 2. Chapter 461, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§461- Return for disposal of unused, remaining, or
14 expired drugs; pharmacy options. (a) No pharmacy shall accept
15 the return of any prescription drug unless:

16 (1) The pharmacy is collecting the prescription drug for
17 disposal only; and

18 (2) The pharmacy is registered with the United States Drug
19 Enforcement Administration as an authorized collector
20 pursuant to title 21 Code of Federal Regulations
21 section 1317.40.



1 (b) No prescription drug returned to the pharmacy for
2 disposal shall be redispensed or returned for cash or credit.

3 (c) Any pharmacy accepting prescription drugs for disposal
4 shall use the following methods:

5 (1) Secured collection receptacles in compliance with
6 title 21 Code of Federal Regulations section 1317.75;

7 or

8 (2) Mail-back programs.

9 (d) In any pharmacy accepting prescription drugs for
10 disposal under this section, the pharmacist-in-charge shall
11 ensure that only Drug Enforcement Administration approved
12 reverse distributors acquire prescription drugs collected
13 through collection receptacles and mail-back programs."

14 SECTION 3. New statutory material is underscored.

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

16

INTRODUCED BY:  _____



S.B. NO. 325

Report Title:

Pharmacies; Prescription Drugs; Return for Disposal

Description:

Authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs. Prohibits pharmacies from redispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit. Requires the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs.

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

