

JAN 27 2021

A BILL FOR AN ACT

RELATING TO OPIOIDS.

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

1 SECTION 1. Chapter 329, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§329- Opioids; initial prescriptions; acute pain;
5 verbal discussion. (a) Prior to issuing the initial
6 prescription of a controlled substance that is an opioid in a
7 course of treatment for acute pain, and again prior to issuing
8 the third prescription of the course of treatment for the same
9 acute pain symptom, a provider authorized to prescribe opioids
10 shall discuss with the patient, or the patient's parent or
11 guardian if the patient is under eighteen years of age and is
12 not an emancipated minor, the risks associated with the opioid
13 being prescribed, including but not limited to:

14 (1) The risks of addiction and overdose associated with
15 opioids and the dangers of taking opioids with
16 alcohol, benzodiazepines, and other central nervous
17 system depressants;



- 1 (2) The reasons why the prescription is necessary;
- 2 (3) Alternative treatments that may be available; and
- 3 (4) Risks associated with the use of the opioids being
- 4 prescribed, specifically that:
- 5 (A) Opioids are highly addictive, even when taken as
- 6 prescribed;
- 7 (B) There is a risk of developing a physical or
- 8 psychological dependence on the controlled
- 9 dangerous substance; and
- 10 (C) The risks of taking more opioids than prescribed,
- 11 or mixing sedatives, benzodiazepines, or alcohol
- 12 with opioids, can result in fatal respiratory
- 13 depression.
- 14 (b) The provider shall document that he or she has
- 15 discussed with the patient or the patient's parent or guardian,
- 16 as applicable, the risks of developing a physical or
- 17 psychological dependence on the opioid and alternative
- 18 treatments that may be available through use of the existing
- 19 department of health's informed consent form. The department of
- 20 health may make any changes on the informed consent form to
- 21 reflect this explicit requirement for a verbal discussion that



1 it deems necessary or leave the form unamended if it concludes
2 it is sufficient in its current form. The department of health
3 may develop and make available guidelines for the discussion
4 required pursuant to this section.

5 (c) As used in this section:

6 "Acute pain" means pain, whether resulting from a disease,
7 accidental or intentional trauma, or other cause, that the
8 provider reasonably believes expects to last only a short period
9 of time. "Acute pain" does not include chronic pain, pain
10 originating from cancer, pain experienced while the patient is
11 in palliative care or hospice care, or pain experienced by a
12 qualified patient under chapter 327L.

13 "Initial prescription" means a prescription issued to a
14 patient who:

15 (1) Has never previously been issued a prescription for
16 the opioid; or

17 (2) Was previously issued a prescription for the opioid,
18 but the date on which the current prescription is
19 being issued is more than one year after the date the
20 patient last used or was administered the opioid.



S.B. NO. 940

1 When determining whether a patient was previously issued a
2 prescription for an opioid, the provider shall consult with the
3 patient and review the patient's medical record and the State
4 prescription accountability system."

5 SECTION 2. New statutory material is underscored.

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

7

INTRODUCED BY: 



S.B. NO. 940

Report Title:

Opioids; Initial Prescription; Acute Pain; Providers; Verbal Discussion; Risks

Description:

Requires providers authorized to prescribe opioids to discuss with patients certain risks associated with controlled substances that are opioids prior to issuing initial opioid prescriptions for the treatment of acute pain. Requires providers to include a note acknowledging the discussion of the risks associated with opioids in the patient's medical record.

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