

JAN 21 2022

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 329-104, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) This section shall not prevent the disclosure, at the
4 discretion of the administrator, of investigative information
5 to:

6 (1) Law enforcement officers, investigative agents of
7 federal, state, or county law enforcement or
8 regulatory agencies, United States attorneys, county
9 prosecuting attorneys, or the attorney general;
10 provided that the administrator has reasonable grounds
11 to believe that the disclosure of any information
12 collected under this part is in furtherance of an
13 ongoing criminal or regulatory investigation or
14 prosecution;

15 (2) Registrants authorized under chapters 448, 453, and
16 463E and section 457-2.7 who are registered to
17 administer, prescribe, or dispense controlled



1 substances and their practitioner delegate; provided
2 that the information disclosed relates only to the
3 registrant's own patient;

4 (3) Pharmacists or pharmacist delegates, employed by a
5 pharmacy registered under section 329-32, who request
6 prescription information about a customer [~~relating to~~
7 ~~a violation or possible violation of this chapter~~];

8 (4) Other state-authorized governmental prescription-
9 monitoring programs;

10 (5) The chief medical examiner or licensed physician
11 designee who requests information and certifies the
12 request is for the purpose of investigating the death
13 of an individual;

14 (6) Qualified personnel for the purpose of bona fide
15 research or education; provided that data elements
16 that would reasonably identify a specific recipient,
17 prescriber, or dispenser shall be deleted or redacted
18 from the information prior to disclosure; provided
19 further that release of the information may be made
20 only pursuant to a written agreement between qualified



1 personnel and the administrator in order to ensure
2 compliance with this subsection;

3 (7) Other entities or individuals authorized by the
4 administrator to assist the program with projects that
5 enhance the electronic prescription accountability
6 system;

7 (8) Authorized employees of the State of Hawaii department
8 of health alcohol and drug abuse division and the
9 emergency medical services and injury prevention
10 system branch; ~~and~~

11 (9) The United States Department of Defense health agency
12 prescription monitoring program[-];

13 (10) Authorized employees of the State of Hawaii,
14 department of human services, med-QUEST division; and

15 (11) Controlled substances prescribers, dispensers, and
16 pharmacists of the United States Department of
17 Veterans Affairs facilities within the State who
18 submit data, as described in section 329-101, to the
19 electronic prescription accountability system.



1 Information disclosed to a registrant, pharmacist, or authorized
2 government agency under this section shall be transmitted by a
3 secure means determined by the designated agency."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7

INTRODUCED BY:  _____



S.B. NO. 2423

Report Title:

Electronic Prescription Accountability System

Description:

Updates chapter 329, Hawaii Revised Statutes, to clarify who may access information stored in the 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.

