

---

# A BILL FOR AN ACT

RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT MANDATORY  
REPORTING.

**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 part III to be appropriately  
3       designated and to read as follows:

4       "§329-       Mandatory reporting. (a) Notwithstanding any  
5       other law concerning confidentiality to the contrary, the holder  
6       of a registration issued under section 329-32 who, in the  
7       holder's professional or official capacity, has reason to  
8       believe that a controlled substance in the holder's inventory  
9       has been stolen, embezzled, or otherwise obtained by fraud or  
10       diversion, shall immediately report the matter verbally to the  
11       administrator.

12       (b) The holder of a registration shall submit a written  
13       report to the administrator as soon as practicable following the  
14       verbal report. The written report shall contain:

15       (1) The name and address of the suspected perpetrator, if  
16       known;



1       (2) The nature and extent of the theft, embezzlement,  
2       fraud, or diversion; and

3       (3) Any other information that the reporter believes might  
4       be helpful or relevant to the investigation of the  
5       theft, embezzlement, fraud, or diversion.

6       (c) Any person subject to subsection (a), upon demand of  
7       the administrator, shall provide all information related to the  
8       alleged incident of theft, embezzlement, fraud, or diversion,  
9       including but not limited to records, reports, and any image,  
10      film, video, or other electronic medium, that was not included  
11      in the written report submitted pursuant to subsection (b).

12      (d) This section shall not be construed to provide a basis  
13      for a cause of action against the administrator or department.

14      (e) Any person subject to this section who knowingly  
15      prevents another person from reporting, or who knowingly fails  
16      to provide information as required by this section, shall be  
17      guilty of a misdemeanor."

18      SECTION 2. New statutory material is underscored.

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



**Report Title:**

Uniform Controlled Substances Act; Mandatory Reporting;  
Controlled Substances Registrations; Misdemeanor

**Description:**

Requires the holder of a controlled substances registration to immediately verbally report the theft, embezzlement, fraud, or diversion of a controlled substance in the holder's inventory, with a subsequent written report. Establishes a misdemeanor penalty for a person who prevents another from reporting, or who knowingly fails to provide information as required. (CD1)

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

