

JAN 20 2023

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 prescription drugs
2 may not be dispensed unless the label of the container
3 identifies the drug prescribed and provides other specific
4 information that is considered essential for public health and
5 safety. Nonetheless, individuals may often have difficulty
6 reading the labels on the prescription drug containers due to
7 disability or age, including persons with low vision or
8 blindness. Difficulty in reading the labels on prescription
9 drug containers may affect as many as sixty thousand residents
10 in the State. The legislature further finds that certain
11 technology provides the prescription drug label information in
12 alternate formats that are more accessible to persons who have
13 difficulty seeing or reading standard printed labels on
14 prescription drug containers.

15 Accordingly, the purpose of this Act is to:

16 (1) Require pharmacies to:



1 (A) Provide accessible prescription drug label
2 information to individuals who have difficulty
3 seeing or reading standard printed labels on
4 prescription drug containers; and

5 (B) Make sustained, periodic, and reasonable efforts
6 to inform the public that prescription drug label
7 information is available in alternate accessible
8 formats for individuals who have difficulty
9 seeing or reading standard printed labels on
10 prescription drug containers; and

11 (2) Require the board of pharmacy to adopt certain rules
12 necessary for the purposes of this Act before
13 December 31, 2023.

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

17 "§461- Pharmacies; prescription drug label information;
18 accessibility. (a) When dispensing a prescription drug to an
19 individual who, as acknowledged by the individual, has
20 difficulty seeing or reading standard printed prescription drug
21 container labels, the dispensing pharmacy shall provide the



1 individual with a means of access to obtain the prescription
2 drug label information required pursuant to section 328-16(a).

3 Specifically, the dispensing pharmacy shall:

4 (1) Include an electronic label affixed to the container
5 of the prescription drug that transmits prescription
6 drug label information, directions, and written
7 instructions to an end-user's external accessible
8 device, including an individual's compatible
9 prescription drug reader; or

10 (2) Provide a prescription drug reader at no cost to the
11 individual.

12 (b) Dispensing pharmacies shall make sustained, periodic,
13 and reasonable efforts to inform the public that prescription
14 drug label information is available in accessible formats for
15 individuals who have difficulty seeing or reading standard
16 printed labels on prescription drug containers.

17 (c) Dispensing pharmacies shall otherwise follow the best
18 practices and recommendations of the United States Access Board
19 for pharmacies in providing independent access to prescription
20 drug label information."



1 SECTION 3. Section 461-1, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "End-user's external accessible device" means a
5 commercially available computer, mobile phone, or other
6 communications device that is able to receive electronic
7 information transmitted from an external source and provide the
8 electronic information in a form and format accessible to the
9 individual.

10 "Prescription drug reader" means a dedicated electronic
11 device that is able to obtain information from an electronic
12 label affixed to a container of prescription drugs and provide
13 the information in an audio format accessible to the
14 individual."

15 SECTION 4. No later than December 31, 2023, the board of
16 pharmacy shall adopt rules necessary to carry out the purposes
17 of this Act. The rules adopted shall allow the board of
18 pharmacy to deny, revoke, or suspend a pharmacy license or
19 impose a fine not to exceed \$1000 per violation for failure to
20 comply with the purposes of this Act.

21 SECTION 5. New statutory material is underscored.



S.B. NO. 608

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

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INTRODUCED BY:

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S.B. NO. 608

Report Title:

Deaf and Blind Task Force; Prescription Drug Label Information; Accessibility; Pharmacies; Board of Pharmacy; Administrative Rules

Description:

Requires pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels. Requires the Board of Pharmacy to adopt certain rules by December 31, 2023.

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

