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# 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 appropriate, timely  
2 pain management is an integral part of ensuring high quality,  
3 patient-centered health care. As the rising danger of opiates  
4 became clear, the legislature acted to put guardrails in place  
5 to protect patients from the harmful effects of overprescribing,  
6 long-term use, and addiction. However, the legislature  
7 recognizes the need to balance these protections with the need  
8 for timely patient access to appropriate pain management.  
9 Therefore, there is a need to remove barriers to short-term  
10 opiate prescriptions while maintaining protections against  
11 overprescribing and patient misuse.

12           Accordingly, the purpose of this Act is to allow a patient  
13 who has been seen in person by a health care provider to be  
14 prescribed a three-day supply of opiates via telehealth by a  
15 physician within the same medical group.

16           SECTION 2. Section 453-1.3, Hawaii Revised Statutes, is  
17 amended by amending subsection (c) to read as follows:



1           "(c) Treatment recommendations made via telehealth,  
2 including issuing a prescription via electronic means, shall be  
3 held to the same standards of appropriate practice as those in  
4 traditional physician-patient settings that do not include  
5 [+]an[+] in-person visit but in which prescribing is  
6 appropriate, including on-call telephone encounters and  
7 encounters for which a follow-up visit is arranged. Issuing a  
8 prescription based solely on an online questionnaire is not  
9 treatment for the purposes of this section and does not  
10 constitute an acceptable standard of care. For the purposes of  
11 prescribing opiates or certifying a patient for the medical use  
12 of cannabis, a physician-patient relationship shall only be  
13 established after an in-person consultation between the  
14 prescribing physician and the patient[-]; provided that a  
15 patient who has been seen in person by a health care provider in  
16 the same medical group as the prescribing provider authorized  
17 pursuant to section 329-33, may be prescribed an opiate  
18 prescription for a three-day supply or less via telehealth."

19           SECTION 3. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval;  
2 provided that the amendments made to section 453-1.3(c), Hawaii  
3 Revised Statutes, by section 2 of this Act shall not be repealed  
4 when that section is reenacted on December 31, 2025, pursuant to  
5 section 8 of Act 107, Session Laws of Hawaii 2023.



**Report Title:**

Prescriptions; Opiates; Telehealth; Three-day Supply;  
Physicians; Health Care Providers; Prescriptive Authority

**Description:**

Allows a patient who has been seen in person by a health care provider who is in the same medical group as the prescribing provider authorized pursuant to section 329-33, HRS, to be prescribed an opiate prescription for a three-day supply or less via telehealth. (SD1)

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

