THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1279 S.D. 2

A BILL FOR AN ACT

RELATING TO PHARMACISTS.

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

SECTION 1. Chapter 461, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"**§461- Telepharmacy; limited authorization for medically underserved patients.** (a) A registered pharmacist who is under contract with a covered entity may oversee the filling or receipt of a prescription for sale or distribution via telehealth by way of an interactive telecommunication system if:

(1) The patient for whom the medication is prescribed is located at a facility operated by the covered entity;

(2) The covered entity obtained a pharmacy license for, or applied for the relocation of a pharmacy license to, that facility; and

(3) The contracted pharmacist is not located at that facility.

(b) For the purposes of this section:

"Covered entity" has the same meaning as defined in section 340B(a)(4) of the Public Health Service Act (42 U.S.C. section 256b).

"Interactive telecommunications system" has the same meaning as defined in title 42 Code of Federal Regulations section 410.78(a).

"Telehealth" means the use of telecommunications services, as defined in section 269-1, including real-time audio and video conferencing-based communication, secure interactive and non-interactive web-based communication, and secure asynchronous information exchange, to transmit patient medical information for the purpose of delivering enhanced health care services and information while a patient is at an originating site and the health care provider is at a distant site."

SECTION 2. Section 461-9, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) A registered pharmacist shall be in personal and immediate charge of the pharmacy and personnel employed in the pharmacy. Temporary absences of the registered pharmacist shall be unlawful except for periods of time and under circumstances as authorized under the rules of the board. [~~During~~] Except as

provided in section 461- , during any absence of the registered pharmacist, prescriptions may not be filled, compounded, or received by telephone and no drugs shall be sold; provided that this shall not preclude the sale at those times of things that might be sold were the pharmacy a store not subject to this chapter. No person other than a registered pharmacist or a pharmacy intern under the registered pharmacist's immediate supervision shall fill or compound prescriptions except as provided by subsection (c) [~~.~~] and section 461- ."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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

SECTION 5. This Act shall take effect on July 1, 2050.

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Report Title:
Telepharmacy; Pharmacists; Medically Underserved Patients

Description:
Authorizes a registered pharmacist under contract with a covered entity for purposes of the federal 340B Drug Pricing Program to supervise via telehealth the filling or receipt of a prescription in certain circumstances. Effective 7/1/2050. (SD2)

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