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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1           SECTION 1. The legislature finds that the State's existing  
2 reimbursement rates for nonprescription drugs, over-the-counter  
3 drugs, or nonlegend drugs for workers' compensation are not  
4 clearly provided. The legislature further finds that this  
5 omission has led some to charge inflated rates for these drugs,  
6 which drives up the cost of workers' compensation insurance  
7 policies.

8           Accordingly, the purpose of this Act is to prohibit health  
9 care providers from dispensing nonprescription drugs, over-the-  
10 counter drugs, or nonlegend drugs for workers' compensation.

11           SECTION 2. Chapter 386, Hawaii Revised Statutes, is  
12 amended by adding a new section to part I to be appropriately  
13 designated and to read as follows:

14           "§386-       Nonprescription, over-the-counter, or nonlegend  
15 drugs; prohibition. (a) No health care provider shall dispense  
16 a nonprescription drug, over-the-counter drug, nonlegend drug,



1 or any non-FDA-approved drugs that have not undergone the FDA's  
2 formal review for safety, effectiveness, or quality.

3 (b) For purposes of this section:

4 "FDA" means the United States Food and Drug Administration.

5 "Nonprescription drug", "over-the-counter drug", or

6 "nonlegend drug" has the same meaning as in section 328-1."

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

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on July 1, 3000.



**Report Title:**

Workers' Compensation; Nonprescription Drugs; Over-The-Counter  
Drugs; Nonlegend Drugs; Dispensing Prohibited

**Description:**

Prohibits health care providers from dispensing nonprescription  
drugs, over-the-counter drugs, and nonlegend drugs for workers'  
compensation patients. Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

