
A BILL FOR AN ACT

RELATING TO LICENSING.

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

1 SECTION 1. Section 461-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "registered pharmacy
3 technician" to read as follows:

4 ""Registered pharmacy technician" means a person, exclusive
5 of pharmacy interns and auxiliary pharmacy personnel, who is at
6 least sixteen years of age with a certificate of registration
7 issued by the board pursuant to section 461-9.5, and who may, in
8 addition to the tasks of an auxiliary pharmacy personnel,
9 perform filling, packaging, manipulative, repetitive, or other
10 nondiscretionary tasks [~~7, and tasks specified in section 461-~~
11 ~~11.4,~~] only while assisting and while under the supervision and
12 control of a registered pharmacist [~~-~~]; provided that to
13 administer vaccinations, the registered pharmacy technician
14 shall be at least eighteen years of age and meet the
15 requirements under section 461-11.4."

16 SECTION 2. Section 461-4.5, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:



1 "(a) In addition to any other powers and duties authorized
2 by law, the board:

3 (1) Shall adopt, amend, and repeal rules pursuant to
4 chapter 91, as it deems proper for the purposes of
5 this chapter, Public Law 100-293, and title 21 Code of
6 Federal Regulations part 205;

7 (2) Shall examine, license, reinstate, and renew the
8 licenses of qualified applicants for registered
9 pharmacists and wholesale prescription drug
10 distributors; issue and renew certificates of
11 registration for registered pharmacy technicians; and
12 issue and renew permits to operate pharmacies;

13 (3) May require the inspection of any wholesale
14 prescription drug distributor premises in the State to
15 ensure compliance with this chapter and rules adopted
16 under this chapter, or may require an applicant for a
17 pharmacy license to submit a statement that the
18 premises, including but not limited to security and
19 sanitation, are in conformance with the board's
20 requirements and that the applicant possesses the
21 reference materials and technical clinical equipment



1 and supplies as may be specified in rules adopted
2 under this chapter;

3 (4) May fine, suspend, or revoke any license,
4 registration, or permit for any cause prescribed by
5 this chapter, or for any violation of the rules
6 adopted under this chapter, and refuse to grant or
7 renew any license, registration, or permit for any
8 cause [~~which~~] that would be ground for revocation or
9 suspension of a license, registration, or permit;

10 (5) May deny a license to any applicant who has been
11 disciplined by another state or federal agency.
12 Notwithstanding any law to the contrary, a final order
13 of disciplinary action taken pursuant to this
14 paragraph shall be a matter of public record; and

15 (6) May approve pilot and demonstration research projects
16 for innovative applications in the practice of
17 pharmacy; provided that the projects shall not include
18 therapeutic substitution or substitution of a medical
19 device used in patient care; provided further that
20 nothing in this paragraph shall be construed to expand



1 the definition of "practice of pharmacy" under section
2 461-1. The board may also:

3 (A) Approve a provision that grants an exception to
4 any rule adopted under this paragraph;

5 (B) Extend the time an exception to a rule is
6 granted, as may be necessary for the board to
7 adopt an amendment or modification to the rule;

8 (C) Condition approval of a project upon compliance
9 with this section and any rules adopted under
10 this section; and

11 (D) Rescind approval and terminate a project if, at
12 any time, a project fails to protect public
13 health or welfare."

14 SECTION 3. Section 461-8, Hawaii Revised Statutes, is
15 amended by amending subsections (a) and (b) to read as follows:

16 "(a) All licenses, certificates of registration, and
17 permits issued by the board, except temporary licenses issued
18 under section 461-7, shall be renewed biennially on or before
19 December 31 of each odd-numbered year. Failure to pay the
20 biennial fee and to satisfy the continuing education requirement
21 on or before December 31 of each odd-numbered year, shall



1 constitute a forfeiture of the license as of the date of
2 expiration. Failure to pay the biennial fee on or before
3 December 31 of each odd-numbered year shall constitute a
4 forfeiture of the certificate of registration or permit as of
5 the date of expiration.

6 (b) Any license, certificate of registration, or permit
7 forfeited pursuant to subsection (a) may be restored within
8 three years upon payment of any penalty fee, the current
9 biennial fees, and the renewal fee for the next biennium, if
10 applicable, upon submission of proof of compliance with the
11 continuing education requirement for the prior biennium, and
12 upon meeting any other requirements specified in rules adopted
13 pursuant to chapter 91[-]; provided that for certificates of
14 registration for pharmacy technicians, the board shall not
15 require proof of continuing education."

16 SECTION 4. Section 461-9.5, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) Each certificate of registration shall be valid
19 through December 31 of each odd-numbered year [~~upon which the~~
20 ~~registration shall lapse and a new registration shall be~~
21 ~~required]."~~



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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



Report Title:

Board of Pharmacy; Registered Pharmacy Technicians; Certificates of Registration; Age; Renewal

Description:

Specifies that registered pharmacy technicians must be at least sixteen years old. Clarifies that registered pharmacy technicians shall be at least eighteen years old and meet other certain requirements to administer vaccinations. Authorizes the Board of Pharmacy to renew certificates of registration for registered pharmacy technicians. Clarifies renewal requirements and forfeiture and restoration provisions for certificates of registration. (CD1)

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