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# A BILL FOR AN ACT

RELATING TO LICENSING.

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

1 SECTION 1. Section 461-4.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

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

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

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

15 (3) May require the inspection of any wholesale  
16 prescription drug distributor premises in the State to  
17 ensure compliance with this chapter and rules adopted



1 under this chapter, or may require an applicant for a  
2 pharmacy license to submit a statement that the  
3 premises, including but not limited to security and  
4 sanitation, are in conformance with the board's  
5 requirements and that the applicant possesses the  
6 reference materials and technical clinical equipment  
7 and supplies as may be specified in rules adopted  
8 under this chapter;

9 (4) May fine, suspend, or revoke any license,  
10 registration, or permit for any cause prescribed by  
11 this chapter, or for any violation of the rules  
12 adopted under this chapter, and refuse to grant or  
13 renew any license, registration, or permit for any  
14 cause which would be ground for revocation or  
15 suspension of a license, registration, or permit;

16 (5) May deny a license to any applicant who has been  
17 disciplined by another state or federal agency.

18 Notwithstanding any law to the contrary, a final order  
19 of disciplinary action taken pursuant to this  
20 paragraph shall be a matter of public record; and



1 (6) May approve pilot and demonstration research projects  
2 for innovative applications in the practice of  
3 pharmacy; provided that the projects shall not include  
4 therapeutic substitution or substitution of a medical  
5 device used in patient care; provided further that  
6 nothing in this paragraph shall be construed to expand  
7 the definition of "practice of pharmacy" under section  
8 461-1. The board may also:

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

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

14 (C) Condition approval of a project upon compliance  
15 with this section and any rules adopted under  
16 this section; and

17 (D) Rescind approval and terminate a project if, at  
18 any time, a project fails to protect public  
19 health or welfare."

20 SECTION 2. Section 461-8, Hawaii Revised Statutes, is  
21 amended by amending subsections (a) and (b) to read as follows:



1       "(a) All licenses, certificates of registration, and  
2 permits issued by the board, except temporary licenses issued  
3 under section 461-7, shall be renewed biennially on or before  
4 December 31 of each odd-numbered year. Failure to pay the  
5 biennial fee and to satisfy the continuing education requirement  
6 on or before December 31 of each odd-numbered year, shall  
7 constitute a forfeiture of the license as of the date of  
8 expiration. Failure to pay the biennial fee on or before  
9 December 31 of each odd-numbered year shall constitute a  
10 forfeiture of the permit as of the date of expiration.

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



1 SECTION 3. Section 461-9.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3 "(b) Each certificate of registration shall be valid  
4 through December 31 of each odd-numbered year [~~upon which the~~  
5 ~~registration shall lapse and a new registration shall be~~  
6 ~~required~~]."

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

9 SECTION 5. This Act shall take effect upon its approval.



**S.B. NO.** 2623  
S.D. 2

**Report Title:**

Licensing; Certificates of Registration; Pharmacy Technicians

**Description:**

Authorizes the Board of Pharmacy to renew certificates of registration for registered pharmacy technicians. Clarifies renewal requirements and restoration provisions for certificates of registration. (SD2)

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

