

ACT 46

H.B. NO. 2903

A Bill for an Act Relating to Controlled Substances.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 329, Hawaii Revised Statutes, is amended by adding to part III a new section to be appropriately designated and to read as follows:

**“§329- Administration and dispensing of methadone in registered and approved treatment programs.** Notwithstanding any other provision of law to the contrary, methadone may be administered or dispensed or both as part of a

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state-registered and Federal Food and Drug Administration approved methadone treatment program by a practitioner who is licensed and registered under state and federal law to administer, prescribe, and dispense methadone for patients or by an agent of the practitioner, supervised by and under the order of the practitioner. The agent must be a pharmacist, registered nurse, or licensed practical nurse. The licensed practitioner shall be responsible for the amounts of methadone administered or dispensed in accordance with Federal Food and Drug Administration regulations and shall record, approve, and countersign all changes in dosage schedules.

The term "methadone treatment program" as used in this section means an organization or a person (including a private physician) that administers or dispenses methadone to a narcotic-dependent person for maintenance or detoxification treatment and who provides the medical and rehabilitative services required by 21 C.F.R. part 291 and is approved to do so by the State and by the United States Food and Drug Administration, and who holds a controlled substance registration as required by this chapter and the United States Drug Enforcement Administration to use methadone for the treatment of narcotic-dependent persons.

The term "narcotic-dependent person" as used in this section means an individual who physiologically needs heroin or a morphine-like drug to prevent the onset of signs of withdrawal."

SECTION 2. New statutory material is underscored.<sup>1</sup>

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

(Approved April 26, 1990.)

### Note

1. Edited pursuant to HRS §23G-16.5.