

A Bill for an Act Relating to Out-of-State Prescriptions.

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

SECTION 1. Section 328-17.6, Hawaii Revised Statutes, is amended as follows:

1. By amending subsections (b) and (c) to read as follows:

“(b) Any pharmacist who fills or refills an out-of-state prescription shall:

- (1) Note the following on the pharmacist’s prescription record: the out-of-state practitioner’s full name, address, telephone number, and DEA registration number[;] provided that the DEA registration number shall be required only for original fills;
- (2) Be responsible for validating the authenticity of the out-of-state practitioner’s DEA registration number; and
- (3) Demand proper identification from the person whose name appears on the prescription prior to filling the prescription, in addition to complying with any identification procedures established by the department for filling and refilling an out-of-state prescription.

(c) Before [filling or] refilling an out-of-state prescription, a pharmacist receiving transferred prescription information shall:

- (1) Advise the person whose name appears on the prescription that the prescription on file at the originating out-of-state pharmacy may be canceled before the pharmacist can [fill or] refill the prescription; and
- (2) Record all information required to be on a prescription, including, but not limited to:
 - (A) The date of issuance of the original prescription;
 - (B) The number of refills authorized on the original prescription;
 - (C) The date the original prescription was dispensed;
 - (D) The number of valid refills remaining and the date of the last refill;
 - (E) The out-of-state pharmacy’s name, address, and DEA registration number, and the original prescription number from which the prescription information was transferred; and
 - (F) The name of the transferor pharmacist.”

2. By amending subsection (e) to read as follows:

“(e) The pharmacist shall follow all labeling procedures established by the department for filling and refilling an out-of-state prescription. The [label] prescription shall [also] be appropriately [identify the prescription] identified as “Out-of-State Filled” or “Out-of-State Refilled”, and shall state the date of filling or refilling and the local address of the person whose name appears on the prescription.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 26, 1993.)