

A Bill for an Act Relating to Prescription Drugs.

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

SECTION 1. The legislature finds that appropriate, timely pain management is an integral part of ensuring high quality, patient-centered health care. As the rising danger of opiates became clear, the legislature acted to put guardrails in place to protect patients from the harmful effects of overprescribing, long-term use, and addiction. However, the legislature recognizes the need to balance these protections with the need for timely patient access to appropriate pain management. Therefore, there is a need to remove barriers to short-term opiate prescriptions while maintaining protections against overprescribing and patient misuse.

Accordingly, the purpose of this Act is to allow a patient who has been seen in person by a health care provider to be prescribed a three-day supply of opiates via telehealth by a physician within the same medical group.

SECTION 2. Section 453-1.3, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Treatment recommendations made via telehealth, including issuing a prescription via electronic means, shall be held to the same standards of appropriate practice as those in traditional physician-patient settings that do not include ~~[[an]]~~ in-person visit but in which prescribing is appropriate, including on-call telephone encounters and encounters for which a follow-up visit is arranged. Issuing a prescription based solely on an online questionnaire is not treatment for the purposes of this section and does not constitute an acceptable standard of care. For the purposes of prescribing opiates or certifying a patient for the medical use of cannabis, a physician-patient relationship shall only be established after an in-person consultation between the prescribing physician and the patient~~[-];~~ provided that a patient who has been seen in person by a health care provider in the same medical group as the prescribing provider authorized pursuant to section 329-33, may be prescribed an opiate prescription for a three-day supply or less via telehealth.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; provided that the amendments made to section 453-1.3(c), Hawaii Revised Statutes, by section 2 of this Act shall not be repealed when that section is reenacted on December 31, 2025, pursuant to section 8 of Act 107, Session Laws of Hawaii 2023.

(Approved May 16, 2025.)