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# A BILL FOR AN ACT

RELATING TO PHARMACY.

**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 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, and issue and renew permits to operate  
13 pharmacies;

14           (3) May require the inspection of any wholesale  
15 prescription drug distributor premises in the State to  
16 ensure compliance with this chapter and rules adopted  
17 under this chapter, or may require an applicant for a  
18 pharmacy license to submit a statement that the



1 premises, including but not limited to security and  
2 sanitation, are in conformance with the board's  
3 requirements and that the applicant possesses the  
4 reference materials and technical clinical equipment  
5 and supplies as may be specified in rules adopted  
6 under this chapter; [~~and~~]

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

13 (5) Shall make an unannounced on-site inspection of each  
14 pharmacy operating under a permit under section 461-14  
15 at least once during the two-year permit period in  
16 order to ensure compliance with this chapter and the  
17 rules adopted under this chapter."

18 SECTION 2. Section 461-14, Hawaii Revised Statutes, is  
19 amended by amending subsection (c) to read as follows:

20 "(c) On evidence satisfactory to the board a permit shall  
21 be issued, provided:




- 1           (1) That the pharmacy for which the permit is sought is or  
2           will be, in full compliance with this chapter and  
3           rules of the board;
- 4           (2) That the location and appointments of the pharmacy are  
5           such that it can be operated and maintained without  
6           endangering the public health or safety; [~~and~~]
- 7           (3) That the pharmacy will be under the personal and  
8           immediate supervision of a registered pharmacist[~~-~~];  
9           and
- 10          (4) That the pharmacy shall accept unannounced on-site  
11          visits by the board pursuant to the exercise of the  
12          board's duties under section 461-4.5(a)(5)."

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 Statutory material to be repealed is bracketed  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

15           SECTION 4. This Act shall take effect upon its approval.

16

INTRODUCED BY:

  
JAN 14 2008



**Report Title:**

Pharmacy; Unannounced Inspections

**Description:**

Requires the board of pharmacy to make unannounced site visits to pharmacies at least once every 2 years. Makes acceptance of on-site visits a condition to receiving a permit to operate a pharmacy.

