

JAN 24 2007

A BILL FOR AN ACT

RELATING TO PSYCHOTROPIC MEDICATION.

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

1 SECTION 1. Section 346-59.9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~+~~§346-59.9~~+~~ **Psychotropic medication.** (a) The
4 department shall not impose any restriction or limitation on the
5 coverage for, or a recipient's access to, psychotropic
6 medication; provided that the psychotropic medication shall be
7 prescribed by a ~~[licensed]~~ psychiatrist ~~[or by a]~~, physician, or
8 advanced practice registered nurse duly licensed in the State.

9 (b) The department of human services shall report to the
10 legislature no later than twenty days before the convening of
11 each regular session on:

12 (1) The number of prescriptions written pursuant to this
13 section;

14 (2) The cost and impact of psychiatrists, physicians, or
15 advanced practice nurses prescribing medications
16 pursuant to this section that are not part of the
17 existing formulary; and



1 (3) The overall utilization of psychotropic medication
2 under chapter 346.

3 [~~(b)~~] (c) As used in this section[~~+~~
4 "~~Psychotropic medication~~"], "psychotropic medication" means
5 only those agents approved by the United States Food and Drug
6 Administration for the treatment of mental or emotional
7 disorders."

8 SECTION 2. Act 239, Session Laws of Hawaii 2005, as
9 amended by section 2 of Act 311, Session Laws of Hawaii 2006, is
10 amended as follows:

11 1. By repealing section 3.

12 [~~"SECTION 3. The department of human services shall report~~
13 ~~to the legislature no later than twenty days before the~~
14 ~~convening of the regular session of 2007, and annually~~
15 ~~thereafter. The report shall include:~~

16 ~~(1) The number of prescriptions written pursuant to this~~
17 ~~Act;~~

18 ~~(2) The cost and impact of psychiatrists or physicians~~
19 ~~prescribing medications pursuant to this Act that are~~
20 ~~not part of the existing formulary; and~~

21 ~~(3) The overall utilization under chapter 346, Hawaii~~
22 ~~Revised Statutes."~~]



1 2. By amending sections 4 and 5 to read:

2 SECTION ~~[4.]~~ 3. New statutory material is underscored.

3 SECTION ~~[5.]~~ 4. This Act shall take effect on July 1,
4 2005 [~~, and shall be repealed as it applies to QUEST plans only,~~
5 ~~on June 30, 2008~~].

6 SECTION 3. Section 346-59.9, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§346-59.9 Psychotropic medication.** (a) The department
9 shall not impose any restriction or limitation on the coverage
10 for, or a recipient's access to, psychotropic medication;
11 provided that the psychotropic medication shall be prescribed by
12 a psychiatrist, physician, or advanced practice registered nurse
13 duly licensed in the State.

14 (b) The department of human services shall report to the
15 legislature no later than twenty days before the convening of
16 each regular session on:

17 (1) The number of prescriptions written pursuant to this
18 section;

19 (2) The cost and impact of psychiatrists, physicians, or
20 advanced practice nurses prescribing medications
21 pursuant to this section that are not part of the
22 existing formulary; and



1 (3) The overall utilization of psychotropic medication
2 under chapter 346, Hawaii Revised Statutes.

3 (c) As used in this section, "psychotropic medication"
4 means only those agents approved by the United States Food and
5 Drug Administration for the treatment of mental or emotional
6 disorders.

7 (d) Subsection (a) shall not apply to QUEST medical
8 plans."

9 SECTION 4. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval;
12 provided that section 3 shall take effect on July 1, 2008.

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Report Title:

Psychotropic Medications; Advanced Practice Registered Nurses

Description:

Adds advanced practice registered nurses to the persons who must prescribe the psychotropic medication that the department of human services may not restrict or limit coverage for under section 346-59.9, HRS. Makes technical amendments.

