

JAN 18 2008

A BILL FOR AN ACT

RELATING TO TELEPHARMACY.

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

1 SECTION 1. The legislature finds that Hoola Lahui
2 Hawaii/Kauai community health center is a nonprofit corporation
3 organized as a federally qualified health center and native
4 Hawaiian health care system that provides primary care services
5 on the island of Kauai to those in need, including a high
6 percentage of individuals without health insurance. Hoola Lahui
7 Hawaii began operating its own pharmacy in Kauai community
8 health center clinics in October 2005 and dispensing federal
9 340B pharmaceutical purchasing program prescriptions to its
10 patients. The 340B Pharmaceutical Purchasing Program, enacted
11 in 1992, is administered by the federal Pharmacy Affairs Branch
12 of the Health Resources and Services Administration within the
13 Department of Health and Human Services. The 340B
14 Pharmaceutical Purchasing Program allows certain federally
15 funded grantees serving primarily indigent and other underserved
16 populations to obtain special pricing on pharmaceutical
17 products. Hoola Lahui Hawaii's community health center clinics



1 qualify for the Pharmaceutical Purchasing Program as designated
2 federally qualified health centers.

3 The legislature also finds that Hoola Lahui Hawaii has
4 installed remote dispensing units, or telepharmacy units, to
5 ensure that patients receive necessary acute medications before
6 leaving Kauai community health center clinic settings in Waimea
7 and Kapaa. Since 2005, easier access to acute prescription
8 drugs through these telepharmacy units has made patients more
9 compliant with their medication regimens and improved the
10 efficiency of the distribution of low-priced medications. The
11 physician-prescribed acute medications dispensed at telepharmacy
12 units are hand pre-packaged, reviewed by a pharmacist, and
13 dispensed from a machine by a licensed pharmacist through remote
14 software provided to patients. A nurse then retrieves the
15 dispensed medication, scans the barcode to confirm the
16 prescription, prints the appropriate medication label, and
17 rescans the label to reconfirm the prescription. Only
18 medications for acute conditions are dispensed at telepharmacy
19 units; medications for chronic conditions are not so dispensed.

20 The legislature further finds that no incorrect medications
21 have been dispensed through the telepharmacy units and that
22 Hoola Lahui Hawaii would not be able to afford to hire full-time



1 on-site pharmacists to staff its two clinics given the
2 infrequency of the need to dispense acute medications at the two
3 clinics.

4 The purpose of this Act is to allow telepharmacy units to
5 dispense acute medications according to rules adopted by the
6 board of pharmacy.

7 SECTION 2. Chapter 461, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§461- Telepharmacy; limitation; rules. (a) The board
11 shall permit the operation in the State of telepharmacy only by
12 certain federally qualified health centers participating in the
13 federal 340B Pharmaceutical Purchasing Program administered by
14 the Pharmacy Affairs Branch of the Health Resources and Services
15 Administration of the United States Department of Health and
16 Human Services.

17 (b) The board of pharmacy shall adopt rules in accordance
18 with chapter 91 to implement the purpose of this section."

19 SECTION 3. Section 461-1, Hawaii Revised Statutes, is
20 amended by adding a new definition to be appropriately inserted
21 and to read as follows:



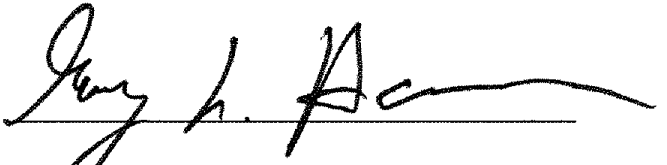

1 "Telepharmacy" means the integration of pharmacy software,
2 remotely controlled dispensing cabinetry, and telecommunications
3 technologies to enable the provision of pharmaceutical services
4 from a distance; provided that only prescription medications for
5 acute medical conditions, as opposed to chronic medical
6 conditions, may be dispensed through telepharmacy."

7 SECTION 4. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:



Report Title:

Telepharmacy Allowed; Federally Qualified Health Centers

Description:

Requires board of pharmacy to allow telepharmacy by certain federally qualified health centers participating in the federal 340B Pharmaceutical Purchasing Program administered by the United States Department of Health and Human Services. Defines "telepharmacy" to limit dispensing to only acute medications.

