
A BILL FOR AN ACT

RELATING TO REMOTE DISPENSING PHARMACIES.

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

1 SECTION 1. The legislature finds that many individuals
2 living in underserved or remote areas need improved access to
3 medications and pharmacy services. Access to medications and
4 pharmacy services is also critical for individuals who are
5 privately insured and who reside on islands where there are no
6 pharmacies. Without access to an on-island pharmacy,
7 individuals face tremendous barriers to obtaining basic, much-
8 needed medications.

9 The purpose of this Act is to permit residents on islands
10 where there are no pharmacies to have access to a remote
11 dispensing pharmacy for the purpose of obtaining medications
12 regardless of the type of medical insurance they may have.

13 SECTION 2. Section 461-10.5, Hawaii Revised Statutes, is
14 amended as follows:

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

16 "(c) No remote dispensing pharmacy shall operate within a
17 five mile radius of any pharmacy as defined under section 461-1;
18 provided that:



- 1 (1) This subsection shall not apply to [any]:
- 2 (A) Any remote dispensing pharmacy established prior
3 to July 3, 2008, that has previously dispensed
4 and will continue to dispense only prescription
5 medications acquired pursuant to section 340B of
6 the Public Health Service Act, Title 42 United
7 States Code section 256b~~[, and]~~; or
- 8 (B) Any remote dispensing pharmacy located on an
9 island that did not have a pharmacy at the time
10 the remote dispensing pharmacy was established.
11 Such remote dispensing pharmacies may continue to
12 operate in the same location if a pharmacy is
13 subsequently established on the same island as
14 the remote dispensing pharmacy; and
- 15 (2) If an appropriately designated pharmacy, as defined in
16 section 461-1, is established within a five mile
17 radius of an existing remote dispensing pharmacy
18 exempted by ~~[this subsection,]~~ paragraph (1)(A), all
19 appropriate measures shall be taken to encourage the
20 relocation of the existing remote dispensing machine
21 within the newly established pharmacy.



1 (d) Remote dispensing pharmacies shall not provide
2 medications to patients with health insurance coverage except
3 for patients covered by QUEST[-]; provided that a remote
4 dispensing pharmacy established on an island without a pharmacy
5 may:

6 (1) Provide medications to patients with any health
7 insurance coverage; and

8 (2) Continue to operate in the same location if a pharmacy
9 is subsequently established on the same island as the
10 remote dispensing pharmacy."

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

12 "(j) Controlled substances shall not be dispensed from any
13 remote dispensing machine or remote dispensing pharmacy[-];
14 provided that:

15 (1) A remote dispensing pharmacy established on an island
16 without a pharmacy may dispense controlled substances;
17 and

18 (2) Upon the establishment of a pharmacy on the same
19 island where a remote dispensing pharmacy is
20 dispensing controlled substances under paragraph (1),
21 no remote dispensing pharmacy on that island shall be
22 authorized to dispense controlled substances."



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

3 SECTION 4. This Act shall take effect on July 1, 2020.



Report Title:

Remote Dispensing Pharmacy; Better Access to Medications

Description:

Allows remote dispensing pharmacies operating on islands without a pharmacy to: 1) provide medications to patients with any health insurance; 2) dispense controlled substances under certain conditions; and 3) continue operating after a pharmacy is later established on the same island. Effective 7/1/2020.
(HB655 HD2)

