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# A BILL FOR AN ACT

RELATING TO PHARMACIES.

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

1           SECTION 1. Chapter 461, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:  
4           "§461-    Electronic prescriptions; capacity required. (a)  
5 Every pharmacy and remote dispensing pharmacy operating under a  
6 permit or prior notification issued pursuant to this chapter  
7 shall have the capacity to maintain prescription records  
8 electronically and to accept and transmit prescription  
9 information electronically or by facsimile in accordance with  
10 the requirements of sections 328-17.7 and 328-17.8."

11           SECTION 2. Section 328-17.7, Hawaii Revised Statutes, is  
12 amended by amending subsections (b) and (c) to read as follows:

13           "(b) Prescription records [~~may~~] shall be electronically  
14 maintained using an appropriate prescription information  
15 processing system; provided that:

16           (1) There [~~are~~] shall be procedures to maintain the  
17 records, including but not limited to auxiliary



1 procedures for backing up files, computer downtime,  
2 and the protection of patient confidentiality; and  
3 (2) Upon request the prescription records, or a subset  
4 thereof, shall be provided to the director or the  
5 director's agent, in a form specified by the director,  
6 within forty-eight hours.

7 (c) Prescription records shall be maintained  
8 electronically [~~or manually~~] such that the information contained  
9 in the records is readily retrievable during the pharmacy's  
10 normal operating hours[-] and capable of being transmitted  
11 electronically or by facsimile."

12 SECTION 3. Each pharmacy and remote dispensing pharmacy  
13 subject to chapter 461, Hawaii Revised Statutes, shall be in  
14 compliance with this Act by no later than January 1, 2012.  
15 Failure to comply with this Act shall constitute a violation of  
16 chapter 461, Hawaii Revised Statutes, subject to disciplinary  
17 action imposed by the board of pharmacy pursuant to section 461-  
18 21, Hawaii Revised Statutes.

19 SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Electronic Prescriptions; Prescription Records

**Description:**

Requires all pharmacies and remote dispensing pharmacies to have the capacity to accommodate electronic prescriptions. Requires all pharmacies, remote dispensing pharmacies, practitioners, and medical oxygen distributors to maintain prescription records electronically. Effective July 1, 2050. (SB2811 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

