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# A BILL FOR AN ACT

RELATING TO VETERINARY MEDICINE.

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

1           SECTION 1. Section 328-16, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:

3           "(b) In addition to the requirements enumerated in  
4 subsection (a), a prescription drug shall be dispensed only:

5           (1) By a pharmacist pursuant to a valid prescription or  
6           section 461-1;

7           (2) By a medical oxygen distributor pursuant to a  
8           prescription or certificate of medical necessity;  
9           provided that the drug to be dispensed is medical  
10          oxygen; or

11          (3) By a practitioner to an ultimate user<sup>[+]</sup> or if  
12          prescribed by a veterinarian licensed under chapter  
13          471 for an animal, to the owner of the animal;  
14          provided that:

15          (A) The practitioner shall inform the patient<sup>[+]</sup> or  
16          the owner of an animal, prior to dispensing any  
17          drug other than a professional sample, that the  
18          patient or owner may have a written, orally



1 ordered, or electronically transmitted or  
2 conveyed prescription directed to a pharmacy or a  
3 medical oxygen distributor of the patient's or  
4 owner's own choice;

5 (B) The practitioner shall promptly record in the  
6 practitioner's records:

7 (i) The prescription in full;

8 (ii) The name, strength, and quantity of the  
9 drug, and specific directions for the drug's  
10 use;

11 (iii) The date the drug was dispensed; and

12 (iv) The name and address of the person for whom  
13 the drug was prescribed or the name of the  
14 owner of the animal for which the drug was  
15 prescribed;

16 (C) The records described in subparagraph (B) shall  
17 be subject to the inspection of the department or  
18 its agents at all times; and

19 (D) No undisclosed rebate, refund, commission,  
20 preference, discount, or other consideration,  
21 whether in the form of money or otherwise, has  
22 been offered to the practitioner as compensation



1 or inducement to dispense or prescribe any  
2 specific drug in preference to other drugs that  
3 might be used for the identical therapeutic  
4 indication."

5 SECTION 2. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

7 SECTION 3. This Act shall take effect upon its approval.  
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INTRODUCED BY: \_\_\_\_\_



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JAN 26 2010



**Report Title:**

Veterinary Medicine; Prescriptions

**Description:**

Requires veterinarians to allow animal owners to have a written, orally ordered, or electronically transferred prescription sent to a pharmacy of the owner's choosing.

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

