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# A BILL FOR AN ACT

RELATING TO PHARMACIST LICENSURE.

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

PART I

1  
2 SECTION 1. The University of Hawaii at Hilo college of  
3 pharmacy accepted its first class in the fall of 2007 and is the  
4 only accredited pharmacy school in Hawaii and the Pacific basin.  
5 For decades, Hawaii has been viewed as the crossroads of the  
6 Pacific, merging cultures and people from all walks of life.  
7 Students from Hawaii, other states, the United States  
8 territories and possessions, and even other countries, come to  
9 study at the University of Hawaii at Hilo's college of pharmacy.  
10 The University of Hawaii at Hilo college of pharmacy is  
11 currently on track for full accreditation in 2011 when its first  
12 class of pharmacy students will graduate.

13 To graduate from the college of pharmacy, students must  
14 participate in advanced pharmacy practice experiences in their  
15 fourth and final year. The advanced pharmacy practice  
16 experiences begin in the summer after the third year of pharmacy  
17 school and include a minimum of one thousand four hundred forty  
18 hours of practical experience. Students participate in six



1 different types of rotations. Mandatory rotations include a  
2 hospital or health system pharmacy, an inpatient/acute care  
3 facility, an ambulatory care clinic, and a community pharmacy.  
4 Students may take an additional two electives to fulfill the  
5 experience requirements.

6 The first class of the University of Hawaii at Hilo college  
7 of pharmacy will begin their advanced pharmacy practice  
8 experience rotations in May of 2010. Students will perform  
9 their rotations in the traditional pharmacy setting as well as  
10 other designated advanced practice locations under the  
11 supervision of a registered pharmacist where the practice of  
12 pharmacy occurs. Geographically, the rotations will occur in  
13 Hawaii and other states, the District of Columbia, and the  
14 United States territories.

15 As section 461-5, Hawaii Revised Statutes, is currently  
16 written, only the hours of practical experience performed in a  
17 pharmacy in one of the fifty states count toward the one  
18 thousand five hundred hours of practical experience required for  
19 licensure as a pharmacist. As such, students who perform their  
20 rotations outside of the traditional pharmacy setting will not  
21 receive credit toward their licensure requirements, even though  
22 those students are engaged in the practice of pharmacy under the



1 supervision of a registered pharmacist at other designated  
2 advanced practice locations, such as clinics and acute care  
3 facilities. Moreover, advanced pharmacy practice experience  
4 rotations performed in one of the United States territories or  
5 the District of Columbia will not count toward licensure  
6 requirements.

7 Therefore, the purpose of this Act is to ensure that  
8 advanced pharmacy practice experience rotations performed in a  
9 United States territory or the District of Columbia, or at a  
10 designated advanced practice location under the supervision of a  
11 registered pharmacist, count toward licensure requirements.

12 SECTION 2. Section 461-1, Hawaii Revised Statutes, is  
13 amended by adding a new definition to be appropriately inserted  
14 and to read as follows:

15 "Territory" means Puerto Rico, the Northern Mariana  
16 Islands, the Virgin Islands, Guam, or American Samoa."

17 SECTION 3. Section 461-5, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19 "(a) Any applicant for a license as a pharmacist shall  
20 submit an application on a form prescribed by the board and  
21 shall provide evidence to the board that the applicant:

22 (1) Is at least eighteen years of age;



- 1           (2) Holds a degree from a school or college of pharmacy or  
2           department in a university which is recognized and  
3           accredited by the American Council of Pharmaceutical  
4           Education;
- 5           (3) Has a minimum of fifteen hundred hours of practical  
6           experience in any state or territory of the United  
7           States [~~in a pharmacy~~], or the District of Columbia,  
8           under the supervision of a [~~registered~~] pharmacist[-]  
9           who is duly registered or licensed in the state,  
10          territory, or district where the experience is  
11          obtained. Service and experience [~~in a pharmacy~~]  
12          under the supervision of a registered pharmacist as  
13          required in this section shall be predominantly  
14          related to the [~~selling of drugs, compounding~~  
15          ~~prescriptions, preparing pharmaceutical preparations,~~  
16          ~~and keeping records and making reports required under~~  
17          ~~state and federal statutes.~~] practice of pharmacy as  
18          defined under section 461-1. In the event an  
19          applicant has no practical experience as required, the  
20          applicant may take the examination and upon passing  
21          the examination, shall not receive a license until



1 after the [~~fulfillment of~~] applicant fulfills the  
2 practical experience requirement;  
3 (4) Has passed an examination as may be prescribed by the  
4 board; and  
5 (5) Does not have an encumbered license or a pending  
6 disciplinary action or unresolved complaint in the  
7 practice of pharmacy in any state or territory of the  
8 United States, or the District of Columbia, or if any  
9 license has been or is encumbered, the applicant shall  
10 provide all information requested by the board."

11 PART II

12 SECTION 4. Section 461-1, Hawaii Revised Statutes, is  
13 amended by amending the definition of "practice of pharmacy" to  
14 read as follows:

15 "Practice of pharmacy" means:

16 (1) The interpretation and evaluation of prescription  
17 orders; the compounding, dispensing, and labeling of  
18 drugs and devices (except labeling by a manufacturer,  
19 packer, or distributor of nonprescription drugs and  
20 commercially legend drugs and devices); the  
21 participation in drug selection and drug utilization  
22 reviews; the proper and safe storage of drugs and



1 devices and the maintenance of proper records  
2 [~~therefore,~~] therefor; the responsibility for advising  
3 when necessary or where regulated, of therapeutic  
4 values, content, hazards, and use of drugs and  
5 devices;

6 (2) Performing the following procedures or functions as  
7 part of the care provided by and in concurrence with a  
8 "health care facility" and "health care service" as  
9 defined in section 323D-2, or a "pharmacy" or a  
10 licensed physician, or a "managed care plan" as  
11 defined in section 432E-1, in accordance with  
12 policies, procedures, or protocols developed  
13 collaboratively by health professionals, including  
14 physicians and surgeons, pharmacists, and registered  
15 nurses, and for which a pharmacist has received  
16 appropriate training required by these policies,  
17 procedures, or protocols:

- 18 (A) Ordering or performing routine drug therapy  
19 related patient assessment procedures;  
20 (B) Ordering drug therapy related laboratory tests;  
21 (C) Initiating emergency contraception oral drug  
22 therapy in accordance with a written



1 collaborative agreement approved by the board,  
2 between a licensed physician and a pharmacist who  
3 has received appropriate training that includes  
4 programs approved by the American Council of  
5 Pharmaceutical Education (ACPE), curriculum-based  
6 programs from an ACPE-accredited college of  
7 pharmacy, state or local health department  
8 programs, or programs recognized by the board of  
9 pharmacy;

10 (D) Administering drugs orally, topically, by  
11 intranasal delivery, or by injection, pursuant to  
12 the patient's licensed physician's order, by a  
13 pharmacist having appropriate training that  
14 includes programs approved by the ACPE,  
15 curriculum-based programs from an ACPE-accredited  
16 college of pharmacy, state or local health  
17 department programs, or programs recognized by  
18 the board of pharmacy;

19 (E) Administering immunizations orally, by injection,  
20 or by intranasal delivery, to persons at least  
21 nine years of age with parental consent and  
22 contingent upon the governor's determination of a

1           public-health necessity or eighteen years of age  
2           or older, by a pharmacist having appropriate  
3           training that includes programs approved by the  
4           ACPE, curriculum-based programs from an ACPE-  
5           accredited college of pharmacy, state or local  
6           health department programs, or programs  
7           recognized by the board of pharmacy;

8           (F) As authorized by a licensed physician's written  
9           instructions, initiating or adjusting the drug  
10          regimen of a patient pursuant to an order or  
11          authorization made by the patient's licensed  
12          physician and related to the condition for which  
13          the patient has been seen by the licensed  
14          physician; provided that the pharmacist shall  
15          issue written notification to the patient's  
16          licensed physician or enter the appropriate  
17          information in an electronic patient record  
18          system shared by the licensed physician, within  
19          twenty-four hours;

20          (G) Transmitting a valid prescription to another  
21          pharmacist for the purpose of filling or  
22          dispensing; or





1 (H) Providing consultation, information, or education  
2 to patients and health care professionals based  
3 on the pharmacist's training and for which no  
4 other licensure is required;

5 and

6 (3) The offering or performing of those acts, services,  
7 operations, or transactions necessary in the conduct,  
8 operation, management, and control of pharmacy."

9 PART III

10 SECTION 5. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect upon its approval;  
13 provided that the amendments made to the definition of "practice  
14 of pharmacy" in section 461-1, Hawaii Revised Statutes, by part  
15 II of this Act shall not be repealed when section 461-1, Hawaii  
16 Revised Statutes, is reenacted on July 1, 2010, pursuant to  
17 section 11 of Act 190, Session Laws of Hawaii 2004.



**Report Title:**

Pharmacy; Licensure; University of Hawaii at Hilo; College of Pharmacy

**Description:**

Broadens the practical experience requirements for a pharmacist license to include experience obtained in U.S. territories and the District of Columbia. Removes the requirement that supervision must take place in a pharmacy. Broadens the experience requirements to relate to the practice of pharmacy. (SB2390 HD1)

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