



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 25, 2013

**GOV. MSG. NO. 1287**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

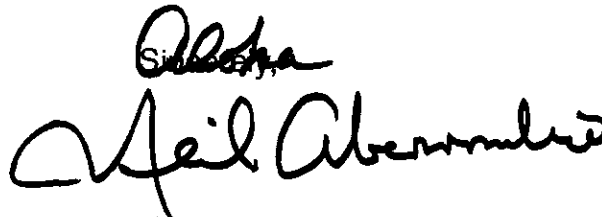
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 25, 2013, the following bill was signed into law:

HB652 SD2 CD1

RELATING TO REMOTE DISPENSING  
**ACT 184 (13)**



NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on JUN 25 2013

HOUSE OF REPRESENTATIVES  
TWENTY-SEVENTH LEGISLATURE, 2013  
STATE OF HAWAII

**ACT 184**  
**H.B. NO.** 652  
S.D. 2  
C.D. 1

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## A BILL FOR AN ACT

RELATING TO REMOTE DISPENSING.

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

1 SECTION 1. Section 461-10.5, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsection (c) to read:

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

7 (1) This subsection shall not apply to any remote  
8 dispensing pharmacy established prior to July 3, 2008  
9 that has previously dispensed and will continue to  
10 dispense only prescription medications acquired  
11 pursuant to section 340B of the Public Health Service  
12 Act, Title 42 United States Code section 256b;

13 (2) If an appropriately designated pharmacy, as defined in  
14 section 461-1, is established within a five-mile  
15 radius of an existing remote dispensing pharmacy  
16 exempted by this subsection, all appropriate measures  
17 shall be taken to encourage the relocation of the



1 existing remote dispensing machine within the newly  
2 established pharmacy; [and]

3 (3) This subsection shall not apply to any remote  
4 dispensing pharmacy established in a facility operated  
5 by a health maintenance organization regulated  
6 pursuant to chapter 432D for the exclusive use of  
7 patients served at the facility[~~7~~]; and

8 (4) Beginning on the effective date of Act \_\_\_\_\_, Session  
9 Laws of Hawaii 2013, no remote dispensing pharmacy  
10 shall operate within the State; provided that this  
11 paragraph shall not apply to the two existing remote  
12 dispensing pharmacies operated by the Waianae Coast  
13 Comprehensive Health Center in Nanakuli and Waianae  
14 until June 1, 2014."

15 2. By amending subsection (o) to read:

16 "(o) This section shall not apply to:

17 (1) Mobile medical clinics, provided that no such clinic  
18 shall operate in counties with a population less than  
19 one hundred thousand persons; or

20 (2) Federally qualified health centers[~~7~~]; provided that  
21 [~~no~~];



1           (A) No remote dispensing pharmacy shall operate  
2                           within a five-mile radius of any pharmacy as  
3                           defined under section 461-1, except for those  
4                           federally qualified health centers that are  
5                           exempt under subsection (c) (1) [-]; and

6           (B) Beginning on the effective date of Act \_\_\_\_\_,  
7                           Session Laws of Hawaii 2013, no remote dispensing  
8                           pharmacy shall operate within the State; provided  
9                           that this subparagraph shall not apply to the two  
10                           existing remote dispensing pharmacies operated by  
11                           the Waianae Coast Comprehensive Health Center in  
12                           Nanakuli and Waianae until June 1, 2014.

13 As used in this subsection, "mobile medical clinic" means a  
14 motor vehicle retrofitted for exclusive use as a medical office  
15 or clinic for medical services licensed under chapter 321."

16           SECTION 2. Act 212, Session Laws of Hawaii 2008, as  
17 amended by Acts 11 and 96, Session Laws of Hawaii 2009, is  
18 amended by amending section 7 to read as follows:

19           "SECTION 7. This Act shall take effect upon its approval  
20 and shall be repealed on January [~~2, 2014.~~] 1, 2016."

1 SECTION 3. In printing this Act, the revisor of statutes  
2 shall insert in section 1 of this Act the corresponding act  
3 number of this Act.

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

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

APPROVED this 25 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII

