
A BILL FOR AN ACT

RELATING TO REMOTE DISPENSING.

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

1 SECTION 1. Act 212, Session Laws of Hawaii 2008, section 2
2 as amended by Acts 11 and 96, Session Laws of Hawaii 2009, is
3 amended as follows:

4 1. By amending subsection (c) of the proposed new section
5 461- , Hawaii Revised Statutes, to read:

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

9 (1) This subsection shall not apply to any remote
10 dispensing pharmacy established prior to the effective
11 date of this Act that has previously dispensed and
12 will continue to dispense only prescription
13 medications acquired pursuant to section 340B of the
14 Public Health Service Act, title 42 United States Code
15 section 256b; [~~and~~]

16 (2) If an appropriately designated pharmacy, as defined in
17 section 461-1, Hawaii Revised Statutes, is established
18 within a five-mile radius of an existing remote



1 dispensing pharmacy exempted by this subsection, all
2 appropriate measures shall be taken to encourage the
3 relocation of the existing remote dispensing machine
4 within the newly established pharmacy[-]; and

5 (3) Beginning on the effective date of Act , Session
6 Laws of Hawaii 2013, no new remote dispensing pharmacy
7 shall operate within a ten-mile radius of any pharmacy
8 as defined under section 461-1; provided that this
9 paragraph shall not apply to any remote dispensing
10 pharmacy in operation prior to the effective date of
11 Act , Session Laws of Hawaii 2013."

12 2. By amending subsection (o) of the proposed new section
13 461- , Hawaii Revised Statutes, to read:

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

15 (1) Mobile medical clinics, provided that no such clinic
16 shall operate in counties with a population less than
17 100,000; or

18 (2) Federally qualified health centers[-]; provided that
19 [no] :

20 (A) No remote dispensing pharmacy shall operate
21 within a five-mile radius of any pharmacy as
22 defined under section 461-1, except for those



1 federally qualified health centers that are
2 exempt under section 461- (c) (2) [-]; and
3 (B) Beginning on the effective date of Act ,
4 Session Laws of Hawaii 2013, no new remote
5 dispensing pharmacy shall operate within a ten-
6 mile radius of any pharmacy as defined in section
7 461-1, except for those federally qualified
8 health centers that are exempt under section
9 461- (c) (2); provided that this subparagraph
10 shall not apply to any remote dispensing pharmacy
11 in operation prior to the effective date of Act
12 , Session Laws of Hawaii 2013.

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.

7



Report Title:

Remote Dispensing Pharmacy

Description:

Prohibits new remote dispensing pharmacies from operating within ten miles of any pharmacy, excepting those remote dispensing pharmacies in operation prior to the effective date of this measure. Extends the repeal date of Act 2012, Session Laws of Hawaii 2008, to January 1, 2016. (SD1)

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

