
A BILL FOR AN ACT

RELATING TO PHARMACY.

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

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

3 "§461-2 Board of pharmacy; appointment; qualifications.

4 There shall be a board of pharmacy of [~~seven~~] eight members[~~-~~]
5 with the following requirements:

6 (1) Five members of the board shall be graduates of a
7 school or college of pharmacy and [~~shall~~] have been
8 licensed as pharmacists and actively engaged in the
9 practice of pharmacy for at least five years prior to
10 their appointment [~~and~~];

11 (2) [~~two~~] Two members shall be from the public [~~members-~~];

12 (3) Four members of the board shall be residents of the
13 city and county of Honolulu [~~and~~];

14 (4) [~~three~~] Three members shall be residents of counties
15 other than the city and county of Honolulu[~~-~~]; and

16 (5) One member shall be a representative from a pharmacy
17 benefit management company."



1 SECTION 2. Section 461-4.5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) In addition to any other powers and duties authorized
4 by law, the board:

5 (1) Shall adopt, amend, and repeal rules pursuant to
6 chapter 91, as it deems proper for the purposes of
7 this chapter, Public Law 100-293, and 21 Code of
8 Federal Regulations part 205;

9 (2) Shall examine, license, reinstate, and renew the
10 licenses of qualified applicants for registered
11 pharmacists and wholesale prescription drug
12 distributors, and issue and renew permits to operate
13 pharmacies;

14 (3) Shall adopt, amend, and repeal rules pursuant to
15 chapter 91 to regulate all pharmacy benefit management
16 companies, permitted under section 461-15, that engage
17 in the practice of pharmacy, in any manner to
18 distribute, ship, mail, or deliver prescription drugs
19 or devices into the State.

20 [~~3~~] (4) May require the inspection of any wholesale
21 prescription drug distributor premises in the State to
22 ensure compliance with this chapter and rules adopted



1 under this chapter, or may require an applicant for a
 2 pharmacy license to submit a statement that the
 3 premises, including but not limited to security and
 4 sanitation, are in conformance with the board's
 5 requirements and that the applicant possesses the
 6 reference materials and technical clinical equipment
 7 and supplies as may be specified in rules adopted
 8 under this chapter; and

9 ~~[(4)]~~ (5) May fine, suspend, or revoke any license or
 10 permit for any cause prescribed by this chapter, or
 11 for any violation of the rules adopted under this
 12 chapter, and refuse to grant or renew any license or
 13 permit for any cause which would be ground for
 14 revocation or suspension of a license or permit."

15 SECTION 3. Statutory material to be repealed is bracketed
 16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.
 18

INTRODUCED BY:

H.B. NO. 63

Report Title:

Board of Pharmacy; Pharmacy Benefit Management Companies

Description:

Adds a member from a pharmacy benefit management company to the board of pharmacy. Requires the board of pharmacy to adopt, amend, and repeal rules pursuant to chapter 91 to regulate all pharmacy benefit management companies that engage in the practice of pharmacy, in any manner to distribute, ship, mail, or deliver prescription drugs into the State.

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