

JAN 23 2015

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Chapter 329, Hawaii Revised Statutes, is
2 amended by adding a new section to part V to be appropriately
3 designated and to read as follows:

4 "§329- Pain medication agreement. (a) A pain
5 medication agreement shall be executed between a patient and any
6 prescriber of a narcotic drug within this State for use as pain
7 medication:

8 (1) Whenever the patient is determined to have chronic
9 pain and is prescribed a narcotic drug for use as pain
10 medication for three months or longer; or

11 (2) Any time the patient is prescribed a narcotic drug for
12 use as pain medication in the patient's first
13 encounter with the prescriber.

14 (b) The administrator shall develop and make available a
15 template of a pain medication agreement for use in the State.
16 The template for the pain medication agreement shall include, at
17 a minimum, the following:



- 1 (1) Informed consent to treat the patient with scheduled
2 medication on a chronic basis greater than three
3 months, excluding hospice, that acknowledges the long-
4 term risks of the chronic use of a narcotic drug as
5 pain medication;
- 6 (2) Consent to submit to random pill counts upon request
7 by the prescriber;
- 8 (3) Consent to urine drug testing a minimum of three times
9 per year per clinical standards of care as determined
10 by the prescriber;
- 11 (4) A list of insurers in the State that offer coverage
12 for urine drug testing;
- 13 (5) A statement that advises the patient of the risk of
14 injury when exceeding a morphine equianalgesic dose of
15 one hundred twenty per day or combinations of the same
16 with benzodiazepines;
- 17 (6) A statement that advises the patient of the risk of
18 injury when exceeding three grams of acetaminophen on
19 a daily basis in combination products;



- 1 (7) A statement recommending a single pharmacy and
- 2 identifying this pharmacy for all patients receiving
- 3 chronic pain medications; and
- 4 (8) A statement advising any patient who violates section
- 5 329-46 shall be guilty of a class C felony.
- 6 (c) For the purposes of this section, "narcotic drug"
- 7 means all schedule II substances pursuant to section 329-16 and
- 8 schedule III substances pursuant to section 329-18, including
- 9 derivatives of hydrocodone, oxycodone, morphine, codeine,
- 10 hydromorphone, benzodiazepines, and carisoprodol."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

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S.B. NO. 798

Report Title:

Pain Medication Agreement; Narcotics Enforcement Division

Description:

Requires a pain medication agreement to be executed between a patient and any prescriber of a narcotic drug within the State for use as pain medication under certain conditions. Requires the administrator of the narcotics enforcement division to develop and make available a template of a pain medication agreement for use in the State. Specifies the contents of the template.

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