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# 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; provided that this  
14           paragraph shall not apply to emergency room and urgent  
15           care providers.

16           (b) The administrator shall develop and make available a  
17 template of a pain medication agreement for use in the State.



1 The template for the pain medication agreement shall include, at  
2 a minimum, the following:

3 (1) Informed consent to treat the patient with scheduled  
4 medication on a chronic basis greater than three  
5 months, excluding hospice, that acknowledges the long-  
6 term risks of the chronic use of a narcotic drug as  
7 pain medication;

8 (2) Consent to submit to random pill counts upon request  
9 by the prescriber;

10 (3) A statement that advises the patient of the risk of  
11 injury when exceeding a morphine equianalgesic dose of  
12 one hundred twenty per day or combinations of the same  
13 with benzodiazepines;

14 (4) A statement that advises the patient of the risk of  
15 injury when exceeding three grams of acetaminophen on  
16 a daily basis in combination products;

17 (5) A statement recommending a single pharmacy and  
18 identifying this pharmacy for all patients receiving  
19 chronic pain medications; and

20 (6) A statement advising any patient who violates section  
21 329-46 shall be guilty of a class C felony.



1        (c) For the purposes of this section, "narcotic drug"  
2 means all schedule II substances pursuant to section 329-16 and  
3 schedule III substances pursuant to section 329-18, including  
4 derivatives of hydrocodone, oxycodone, morphine, codeine,  
5 hydromorphone, benzodiazepines, and carisoprodol."

6        SECTION 2. New statutory material is underscored.

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



**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. (SD1)

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

