
A BILL FOR AN ACT

RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

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

1 SECTION 1. The legislature finds that opioid addiction is
2 a growing problem in Hawaii. According to data from the federal
3 Centers for Disease Control and Prevention, drug overdose deaths
4 in Hawaii have increased by eighty-three percent from 2006 to
5 2014, a growth rate more than double the national average of
6 thirty-seven percent, and nearly half of those deaths are a
7 result of prescription opioids.

8 Furthermore, the Centers for Disease Control also noted
9 that sales of prescription opioids in the United States nearly
10 quadrupled from 1999 to 2014, but there has not been an overall
11 change in the amount of pain Americans report. The legislature
12 further finds that the connection between increased
13 prescriptions for opiates, and similar increases in overdose
14 deaths and substance abuse problems from those prescriptions
15 must be addressed.

16 Accordingly, the purpose of this Act is to make use of data
17 available within the Electronic Prescription Accountability



1 System to inform prescribers on their opioid prescription rates
2 in relation to their peers by grouping similarly situated
3 practitioners and assigning them a percentile rank within the
4 group according to total opiate prescriptions prescribed for the
5 past year. Practitioners will be notified of their percentile
6 ranking solely for the purpose of increasing awareness of their
7 prescription habits, and percentile ranking information required
8 from this Act will be inadmissible in all civil or criminal
9 proceedings, and cannot be used as the sole purpose for
10 investigation by a licensure board.

11 SECTION 2. Section 329-103, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[+]§329-103[+] **Designated state agency.** The designated
14 state agency shall:

- 15 (1) Oversee and administer the collection of information
16 under the system;
- 17 (2) Control access to the information in the system; [~~and~~]
- 18 (3) Produce exception reports as defined in section 329-
19 1[~~-~~];
- 20 (4) Annually determine, through the electronic
21 prescription accountability system established in



1 section 329-101, the mean and median quantity and
2 volume of prescriptions for opiates contained in
3 Schedule II controlled substances as defined in
4 section 329-16 and Schedule III controlled substances
5 as defined in 329-18 issued by practitioners
6 registered under section 329-101; provided, however,
7 that mean and median prescription quantities and
8 volumes shall be determined within categories of
9 practitioners of a similar specialty or practice type
10 as determined by the department;

11 (5) Work in conjunction with the respective boards of
12 licensure to annually determine each practitioner's
13 Schedule II and Schedule III opiate prescribing
14 quantity and volume, and the practitioner's standing
15 with regard to the mean and median quantity and volume
16 for the practitioner's category of specialty or
17 practice type; provided, however, that the
18 practitioner's standing shall be expressed as a
19 percentile ranking for the practitioner within the
20 practitioner's category. Each practitioner whose
21 prescribing exceeds the mean or median within the



1 practitioner's category shall be sent notice of the
2 practitioner's percentile ranking in a manner
3 determined by the department. Any practitioner may
4 request the practitioner's own percentile ranking
5 within the practitioner's own category of practice.
6 The ranking determined for each practitioner shall be
7 confidential, shall be distributed by the department
8 or by the relevant board of licensure only to the
9 practitioner to which the information pertains, and
10 shall not be admissible as evidence in a civil or
11 criminal proceeding or be the sole basis for
12 investigation by a licensure board; and
13 (6) Coordinate with the respective boards of licensure to
14 make resources available to prescribers regarding ways
15 to change prescribing practices and incorporate
16 alternative pain management options into a
17 prescriber's practice."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on January 1, 2018.

21



H.B. NO. 1164

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Report Title:

Electronic Prescription Accountability System

Description:

Enhances the electronic prescription accountability system to inform prescribers of their prescription habits compared to their peers.

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