

---

---

# A BILL FOR AN ACT

RELATING TO THE PRACTICE OF PHARMACY.

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

1           SECTION 1. The legislature finds that there is a need for  
2 more access to healthcare professionals, particularly registered  
3 pharmacists, who can safely provide certain health care services  
4 to achieve positive health outcomes for patients. Pharmacists  
5 provide the most direct access for patients to resolve public  
6 health issues with minimum impact to the overall health system.  
7 Technology has changed the delivery of healthcare over the last  
8 thirty years, leaving the description of the practice of  
9 pharmacy inaccurate. Pharmacy education has changed over the  
10 years from an apprentice program to a six-year doctorate program  
11 that includes education assessment training and a year of  
12 internship working as a pharmacist intern team member. Pharmacy  
13 education now includes immunization and smoking cessation  
14 training, along with other specialty training so that  
15 pharmacists are well prepared to take some of the public health  
16 burden to give all patients the access they deserve to improve  
17 their quality of life. A good example of how the pharmacists'



1 role can impact public health and cost is shown with  
2 immunization since pharmacists were given limited providership  
3 about fifteen years ago. Pharmacists now immunize more patients  
4 than any other healthcare professionals and immunization rates  
5 have grown, reducing disease and morbidity in the overall  
6 population.

7 Registered pharmacists who receive proper training, working  
8 under written protocols, will be able to:

- 9 (1) Provide healthcare services such as furnishing  
10 Naloxone and Epi-pens;
- 11 (2) Administer immunizations and vaccines for bacterial  
12 and viral infections such as influenza, pneumonia, and  
13 hepatitis A;
- 14 (3) Furnish and counsel patients on self-administered  
15 hormonal conception and smoking cessation replacement  
16 therapy; and
- 17 (4) Order and perform laboratory tests to determine  
18 appropriate medication use and outcomes.

19 The legislature further finds that the disciplines of  
20 medicine, nursing, and naturopathy are complemented by  
21 registered pharmacists and that pharmacists are essential as



1 part of the primary healthcare team to serve the interests of  
2 the patient and the public health in general.

3 The purpose of this Act is to modernize the scope of the  
4 practice of pharmacy to allow pharmacists to furnish specific  
5 medications and services that directly impact public health and  
6 the cost of healthcare.

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

9 1. By adding a new definition to be appropriately inserted  
10 and to read:

11 "Furnish" or "furnishing" means to supply by any means, by  
12 sale or otherwise."

13 2. By amending the definition of "practice of pharmacy" to  
14 read:

15 "Practice of pharmacy" means:

16 (1) (A) The interpretation and evaluation of prescription  
17 orders; the compounding, dispensing, and labeling  
18 of drugs and devices (except labeling by a  
19 manufacturer, packer, or distributor of  
20 nonprescription drugs and commercially legend  
21 drugs and devices); the participation in drug



1 selection and drug utilization reviews; the  
2 proper and safe storage of drugs and devices and  
3 the maintenance of proper records therefor; the  
4 responsibility for advising when necessary or  
5 where regulated, of therapeutic values, content,  
6 hazards, and use of drugs and devices;

7 (B) Ordering drug therapy related laboratory tests;

8 (C) Administering:

9 (i) Immunizations orally, by injection, or by  
10 intranasal delivery, to persons eighteen  
11 years of age or older by a pharmacist having  
12 appropriate training that includes programs  
13 approved by the American Council for  
14 Pharmacy Education (ACPE), curriculum-based  
15 programs from an ACPE-accredited college of  
16 pharmacy, or programs recognized by the  
17 board; provided that after the vaccination  
18 is administered, the pharmacist shall  
19 provide within five business days to the  
20 department of health immunization registry a  
21 vaccination record including the patient's



1 name and date of birth, the type of vaccine  
2 administered, and the date and location that  
3 the vaccine was administered, the name of  
4 the vaccine product that was administered,  
5 including the manufacturer, lot number, and  
6 expiration date, the method of  
7 administration, and the anatomical site of  
8 administration; and

9 (ii) Immunizations orally, by injection, or by  
10 intranasal delivery to persons between  
11 fourteen and seventeen years of age pursuant  
12 to section 461-11.4 by a pharmacist having  
13 appropriate training that includes programs  
14 approved by the American Council for  
15 Pharmacy Education (ACPE), curriculum-based  
16 programs from an ACPE-accredited college of  
17 pharmacy, or programs recognized by the  
18 board;

19 (D) Transmitting a valid prescription to another  
20 pharmacist for the purpose of filling or  
21 dispensing;



- 1           (E) Providing consultation, information, or education
- 2           to patients and health care professionals based
- 3           on the pharmacist's training and for which no
- 4           other licensure is required; and
- 5           (F) Furnishing an opioid antagonist, epinephrine auto
- 6           injector , hormonal contraception, travel
- 7           medications, and tobacco cessation nicotine
- 8           replacement therapy by a pharmacist who has
- 9           received appropriate training, including programs
- 10           approved by the ACPE, curriculum-based programs
- 11           from an ACPE-accredited college of pharmacy, or
- 12           programs recognized by the board;
- 13           (2) Performing the following procedures or functions as
- 14           part of the care provided by and in concurrence with a
- 15           "health care facility" and "health care service" as
- 16           defined in section 323D-2, or a "pharmacy" or a
- 17           licensed physician or a licensed advanced practice
- 18           registered nurse with prescriptive authority, or a
- 19           "managed care plan" as defined in section 432E-1, in
- 20           accordance with written policies, procedures, [~~or~~]
- 21           protocols, or standing orders issued to an individual



1           pharmacist or a pharmacy and developed collaboratively  
2           by health professionals, including physicians and  
3           surgeons, pharmacists, and registered nurses, and for  
4           which a pharmacist has received appropriate training  
5           required by these policies, procedures, or protocols:

6           (A)   Ordering or performing routine drug therapy  
7                 related patient assessment procedures;

8           ~~[-(B)   Ordering drug therapy related laboratory tests;~~

9           ~~-(C)]~~   (B)   Initiating emergency contraception oral drug  
10           therapy in accordance with a written  
11           collaborative agreement approved by the board,  
12           between a licensed physician or advanced practice  
13           registered nurse with prescriptive authority and  
14           a pharmacist who has received appropriate  
15           training that includes programs approved by the  
16           American Council of Pharmaceutical Education  
17           (ACPE), curriculum-based programs from an ACPE-  
18           accredited college of pharmacy, state or local  
19           health department programs, or programs  
20           recognized by the board of pharmacy;



1           ~~[(D)]~~ (C) Administering drugs orally, topically, by  
2           intranasal delivery, or by injection, pursuant to  
3           the order of the patient's licensed physician or  
4           advanced practice registered nurse with  
5           prescriptive authority, by a pharmacist having  
6           appropriate training that includes programs  
7           approved by the ACPE, curriculum-based programs  
8           from an ACPE-accredited college of pharmacy,  
9           ~~[state or local health department programs,]~~ or  
10          programs recognized by the board of pharmacy;  
11          ~~[(E) Administering:~~  
12          ~~(i) Immunizations orally, by injection, or by~~  
13          ~~intranasal delivery, to persons eighteen~~  
14          ~~years of age or older by a pharmacist having~~  
15          ~~appropriate training that includes programs~~  
16          ~~approved by the ACPE, curriculum-based~~  
17          ~~programs from an ACPE-accredited college of~~  
18          ~~pharmacy, state or local health department~~  
19          ~~programs, or programs recognized by the~~  
20          ~~board of pharmacy; and~~





1           ~~(ii) Vaccines to persons between fourteen and~~  
2           ~~seventeen years of age pursuant to section~~  
3           ~~461-11.4;~~

4           (F)]   (D) As authorized by the written instructions of  
5           a licensed physician or advanced practice  
6           registered nurse with prescriptive authority,  
7           initiating or adjusting the drug regimen of a  
8           patient pursuant to an order or authorization  
9           made by the patient's licensed physician or  
10          advanced practice registered nurse with  
11          prescriptive authority and related to the  
12          condition for which the patient has been seen by  
13          the licensed physician or advanced practice  
14          registered nurse with prescriptive authority;  
15          provided that the pharmacist shall issue written  
16          notification to the patient's licensed physician  
17          or advanced practice registered nurse with  
18          prescriptive authority or enter the appropriate  
19          information in an electronic patient record  
20          system shared by the licensed physician or



1 advanced practice registered nurse with  
2 prescriptive authority, within twenty-four hours;  
3 ~~[(G) Transmitting a valid prescription to another~~  
4 ~~pharmacist for the purpose of filling or~~  
5 ~~dispensing;~~  
6 ~~-(H) Providing consultation, information, or education~~  
7 ~~to patients and health care professionals based~~  
8 ~~on the pharmacist's training and for which no~~  
9 ~~other licensure is required; or~~  
10 ~~-(I) Dispensing an opioid antagonist in accordance~~  
11 ~~with a written collaborative agreement approved~~  
12 ~~by the board, between a licensed physician and a~~  
13 ~~pharmacist who has received appropriate training~~  
14 ~~that includes programs approved by the American~~  
15 ~~Council on Pharmaceutical Education (ACPE),~~  
16 ~~curriculum based programs from an ACPE accredited~~  
17 ~~college of pharmacy, state or local health~~  
18 ~~department programs, or programs recognized by~~  
19 ~~the board,] and~~



1           (3) The offering or performing of those acts, services,  
2           operations, or transactions necessary in the conduct,  
3           operation, management, and control of pharmacy."

4           SECTION 3. This Act does not affect rights and duties that  
5           matured, penalties that were incurred, and proceedings that were  
6           begun before its effective date.

7           SECTION 4. Statutory material to be repealed is bracketed  
8           and stricken. New statutory material is underscored.

9           SECTION 5. This Act shall take effect on July 1, 2090.



**Report Title:**

Healthcare; Practice of Pharmacy

**Description:**

Amends the definition of "practice of pharmacy." (HB1406 HD1)

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

