

JAN 20 2017

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- Chronic pain medication agreement. (a) A
5 chronic pain medication agreement shall be executed between a
6 patient and any prescriber of a narcotic drug within the State
7 for use as pain medication whenever the patient is determined to
8 have chronic pain and is prescribed a narcotic drug for use as
9 pain medication for three months or longer.

10 (b) The administrator shall develop and make available a
11 template of a chronic pain medication agreement for use in the
12 State. The template for the chronic pain medication agreement
13 shall include, at a minimum, the following:

14 (1) A statement that advises the patient that the
15 recommended initial prescriptions for opioids and
16 benzodiazepines is seven days or less;



- 1 (2) Informed consent to treat the patient with scheduled
2 medication on a chronic basis greater than three
3 months that acknowledges the long-term risks of the
4 chronic use of a narcotic drug as pain medication;
- 5 (3) Informed consent between the prescriber and the
6 patient when the patient is co-prescribed opioids and
7 benzodiazepines;
- 8 (4) Consent to submit to random pill counts upon request
9 by the prescriber;
- 10 (5) 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 (6) 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 (7) A statement that encourages a prescriber to promote
18 co-prescriptions of naloxone whenever a patient is
19 prescribed opioid analgesics;
- 20 (8) A statement recommending a single pharmacy, or a
21 single network of pharmacies electronically sharing a



1 real time, online database, and identifying this
2 pharmacy or network of pharmacies for all patients
3 receiving chronic pain medications;

4 (9) A statement that the prescriber has discussed with the
5 patient non-opioid treatment for chronic pain,
6 including increased availability of acupuncture,
7 chiropractic, longer treatment with physical therapy,
8 and medical massage;

9 (10) A statement that advises the patient that the
10 prescriber may consider a referral to a psychiatrist
11 or psychologist for concurrent care or consultation
12 when chronic pain exceeds six months, or another
13 specified time frame; and

14 (11) A statement that advises the patient that any patient
15 who violates section 329-42(a)(3) (prohibited acts
16 related to knowingly or intentionally obtaining or
17 attempting to obtain or procuring or attempting to
18 procure a controlled substance through various
19 prohibited means, including fraud) or section 329-46
20 (prohibited acts related to visits to more than one



1 practitioner to obtain a controlled substance
2 prescription) shall be guilty of a class C felony.

3 (c) Prescribers shall establish and record an initial and
4 ongoing assessment of treatment goals for each chronic pain
5 medication agreement executed pursuant to this section. The
6 assessments shall focus on functional goals and improvements, in
7 addition to monitoring a patient's levels of chronic pain.

8 (d) This section shall not apply to emergency room and
9 urgent care providers or hospice, palliative care, or terminally
10 ill patients and their providers.

11 (e) For the purposes of this section, "narcotic drug"
12 means all schedule II substances pursuant to section 329-16 and
13 schedule III substances pursuant to section 329-18, including
14 derivatives of hydrocodone, oxycodone, morphine, codeine,
15 hydromorphone, benzodiazepines, and carisoprodol."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2017.

18

INTRODUCED BY:

[Signature]
Will Evers
Randy de Beke



Report Title:

Chronic Pain; Chronic Pain Medication Agreement; Narcotic Drugs;
Narcotics Enforcement Division

Description:

Requires a chronic pain medication agreement to be executed between a patient and any prescriber of a narcotic drug within the State for use as chronic pain medication under certain conditions. Requires the administrator of the narcotics enforcement division to develop and make available a template of a chronic pain medication agreement for use in the State. Specifies the contents of the template. Requires prescribers to establish assessments of treatment goals for each chronic pain medication agreement. Excludes certain patients and providers from the chronic pain medication agreement requirements.

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

