



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 2, 2019

**GOV. MSG. NO. 1324**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirtieth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirtieth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 2, 2019, the following bill was signed into law:

SB540 SD1 HD1 CD1

RELATING TO THE BOARD OF PHARMACY.  
**ACT 222 (19)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO THE BOARD OF PHARMACY.

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

1           SECTION 1. The legislature finds that the role of the  
2 pharmacist has drastically evolved over the past fifty years.  
3 Pharmacists have moved beyond their traditional compounding and  
4 dispensing functions behind the pharmacy counter and now provide  
5 more patient-centered, primary-care based services, such as  
6 medication therapy management, preventative care screenings, and  
7 immunizations. Pharmacists are therefore well situated to  
8 provide patient education and increase access to health care.

9           The legislature also finds that there is a need to  
10 continually improve the effectiveness of health care delivery  
11 systems, including pharmacies. One way of accomplishing this  
12 objective is to utilize new technologies that enable health care  
13 personnel to reallocate health tasks to better and more  
14 efficiently meet the health needs of the public. The  
15 legislature further finds that experimentation with new  
16 technologies and combinations of health care delivery systems  
17 can enhance a pharmacist's ability to provide more patient-  
18 centered services.



1       Accordingly, the purpose of this Act is to authorize the  
2 board of pharmacy to approve pilot and demonstration research  
3 projects for innovative applications in the practice of  
4 pharmacy.

5       SECTION 2. Section 461-4.5, Hawaii Revised Statutes, is  
6 amended by amending subsection (a) to read as follows:

7       "(a) In addition to any other powers and duties authorized  
8 by law, the board:

- 9       (1) Shall adopt, amend, and repeal rules pursuant to  
10           chapter 91, as it deems proper for the purposes of  
11           this chapter, Public Law 100-293, and title 21 Code of  
12           Federal Regulations part 205;
- 13       (2) Shall examine, license, reinstate, and renew the  
14           licenses of qualified applicants for registered  
15           pharmacists and wholesale prescription drug  
16           distributors, and issue and renew permits to operate  
17           pharmacies;
- 18       (3) May require the inspection of any wholesale  
19           prescription drug distributor premises in the State to  
20           ensure compliance with this chapter and rules adopted  
21           under this chapter, or may require an applicant for a



1 pharmacy license to submit a statement that the  
2 premises, including but not limited to security and  
3 sanitation, are in conformance with the board's  
4 requirements and that the applicant possesses the  
5 reference materials and technical clinical equipment  
6 and supplies as may be specified in rules adopted  
7 under this chapter;

8 (4) May fine, suspend, or revoke any license or permit for  
9 any cause prescribed by this chapter, or for any  
10 violation of the rules adopted under this chapter, and  
11 refuse to grant or renew any license or permit for any  
12 cause which would be ground for revocation or  
13 suspension of a license or permit; [~~and~~]

14 (5) May deny a license to any applicant who has been  
15 disciplined by another state or federal agency.

16 Notwithstanding any law to the contrary, a final order  
17 of disciplinary action taken pursuant to this  
18 paragraph shall be a matter of public record[-]; and

19 (6) May approve pilot and demonstration research projects  
20 for innovative applications in the practice of  
21 pharmacy; provided that the projects shall not include



1 therapeutic substitution or substitution of a medical  
2 device used in patient care; provided further that  
3 nothing in this paragraph shall be construed to expand  
4 the definition of "practice of pharmacy" as defined  
5 under section 461-1. The board may also:

6 (A) Approve a provision that grants an exception to  
7 any rule adopted under this paragraph;

8 (B) Extend the time an exception to a rule is  
9 granted, as may be necessary for the board to  
10 adopt an amendment or modification to the rule;

11 (C) Condition approval of a project upon compliance  
12 with this section and any rules adopted under  
13 this section; and

14 (D) Rescind approval and terminate a project if, at  
15 any time, a project fails to protect public  
16 health or welfare."

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

19 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 02 day of JUL, 2019

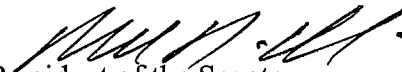



GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 30, 2019  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.

  
President of the Senate

  
Clerk of the Senate

SB No. 540, SD 1, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives