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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. Section 329-38, Hawaii Revised Statutes, is  
2 amended by amending subsection (i) to read as follows:

3           "(i) Prescriptions for controlled substances shall be  
4 issued only as follows:

5           (1) All prescriptions for controlled substances shall  
6 originate from within the State and be dated as of,  
7 and signed on, the day when the prescriptions were  
8 issued and shall contain:

9           (A) The first and last name and address of the  
10 patient; and

11           (B) The drug name, strength, dosage form, quantity  
12 prescribed, and directions for use. Where a  
13 prescription is for gamma hydroxybutyric acid,  
14 methadone, or buprenorphine, the practitioner  
15 shall record as part of the directions for use,  
16 the medical need of the patient for the  
17 prescription.



1           Except for electronic prescriptions, controlled  
2 substance prescriptions shall be no larger than eight and one-  
3 half inches by eleven inches and no smaller than three inches by  
4 four inches. A practitioner may sign a prescription in the same  
5 manner as the practitioner would sign a check or legal document  
6 (e.g., J.H. Smith or John H. Smith) and shall use both words and  
7 figures (e.g., alphabetically and numerically as indications of  
8 quantity, such as five (5)), to indicate the amount of  
9 controlled substance to be dispensed. Where an electronic  
10 prescription is permitted, either words or figures (e.g.,  
11 alphabetically or numerically as indications of quantity, such  
12 as five or 5), to indicate the amount of controlled substance to  
13 be dispensed shall be acceptable. Where an oral order or  
14 electronic prescription is not permitted, prescriptions shall be  
15 written with ink or indelible pencil or typed, shall be manually  
16 signed by the practitioner, and shall include the name, address,  
17 telephone number, and registration number of the practitioner.  
18 The prescriptions may be prepared by a secretary or agent for  
19 the signature of the practitioner, but the prescribing  
20 practitioner shall be responsible in case the prescription does  
21 not conform in all essential respects to this chapter and any



1 rules adopted pursuant to this chapter. In receiving an oral  
2 prescription from a practitioner, a pharmacist shall promptly  
3 reduce the oral prescription to writing, which shall include the  
4 following information: the drug name, strength, dosage form,  
5 quantity prescribed in figures only, and directions for use; the  
6 date the oral prescription was received; the full name, Drug  
7 Enforcement Administration registration number, and oral code  
8 number of the practitioner; and the name and address of the  
9 person for whom the controlled substance was prescribed or the  
10 name of the owner of the animal for which the controlled  
11 substance was prescribed.

12 A corresponding liability shall rest upon a pharmacist  
13 who fills a prescription not prepared in the form prescribed by  
14 this section. A pharmacist may add a patient's missing address  
15 or change a patient's address on all controlled substance  
16 prescriptions after verifying the patient's identification and  
17 noting the identification number on the back of the prescription  
18 document on file. The pharmacist shall not make changes to the  
19 patient's name, the controlled substance being prescribed, the  
20 quantity of the prescription, the practitioner's Drug  
21 Enforcement Administration number, the practitioner's name, the



1 practitioner's electronic signature, or the practitioner's  
2 signature;

3 (2) An intern, resident, or foreign-trained physician, or  
4 a physician on the staff of a Department of Veterans  
5 Affairs facility or other facility serving veterans,  
6 exempted from registration under this chapter, shall  
7 include on all prescriptions issued by the physician:

8 (A) The registration number of the hospital or other  
9 institution; and

10 (B) The special internal code number assigned to the  
11 physician by the hospital or other institution in  
12 lieu of the registration number of the  
13 practitioner required by this section.

14 The hospital or other institution shall forward a copy  
15 of this special internal code number list to the  
16 department as often as necessary to update the  
17 department with any additions or deletions. Failure  
18 to comply with this paragraph shall result in the  
19 suspension of that facility's privilege to fill  
20 controlled substance prescriptions at pharmacies  
21 outside of the hospital or other institution. Each



1 written prescription shall have the name of the  
2 physician stamped, typed, or hand-printed on it, as  
3 well as the signature of the physician;

4 (3) An official exempted from registration shall include  
5 on all prescriptions issued by the official:

6 (A) The official's branch of service or agency (e.g.,  
7 "U.S. Army" or "Public Health Service"); and

8 (B) The official's service identification number, in  
9 lieu of the registration number of the  
10 practitioner required by this section. The  
11 service identification number for a Public Health  
12 Service employee shall be the employee's social  
13 security or other government issued  
14 identification number.

15 Each prescription shall have the name of the officer  
16 stamped, typed, or handprinted on it, as well as the  
17 signature of the officer; and

18 4) A physician assistant registered to prescribe  
19 controlled substances under the authorization of a  
20 supervising physician shall include on all controlled  
21 substance prescriptions issued:



1 (A) The Drug Enforcement Administration registration  
2 number of the supervising physician; and

3 (B) The Drug Enforcement Administration registration  
4 number of the physician assistant.

5 Each written controlled substance prescription issued shall  
6 include the printed, stamped, typed, or hand-printed name,  
7 address, and phone number of both the supervising physician and  
8 physician assistant, and shall be signed by the physician  
9 assistant. The medical record of each written controlled  
10 substance prescription issued by a physician assistant shall be  
11 reviewed and initialed by the physician assistant's supervising  
12 physician within seven working days."

13 SECTION 2. New statutory material is underscored.

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

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**Report Title:**

Uniform Controlled Substances Act

**Description:**

Updates section 329-38(i), Hawaii Revised Statutes, to be consistent with federal law under Title 21 of the Code of Federal Regulations to allow for the use of either words or figures, not both, to indicate quantity where electronic prescriptions are permitted.

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

