

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO OPIOIDS.

**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 be appropriately designated  
3 and to read as follows:  
4           "§329- Opioids; initial prescriptions; acute pain;  
5 verbal discussion. (a) Prior to issuing the initial  
6 prescription of a controlled substance that is an opioid in a  
7 course of treatment for acute pain, and again prior to issuing  
8 the third prescription of the course of treatment for the same  
9 acute pain symptom, a provider authorized to prescribe opioids  
10 shall discuss with the patient, or the patient's parent or  
11 guardian if the patient is under eighteen years of age and is  
12 not an emancipated minor, the risks associated with the opioid  
13 being prescribed, including but not limited to:  
14           (1) The risks of addiction and overdose associated with  
15 opioids and the dangers of taking opioids with  
16 alcohol, benzodiazepines, and other central nervous  
17 system depressants;



- 1        (2) The reasons why the prescription is necessary;
- 2        (3) Alternative treatments that may be available; and
- 3        (4) Risks associated with the use of the opioids being
- 4        prescribed, specifically that:
- 5            (A) Opioids are highly addictive, even when taken as
- 6            prescribed;
- 7            (B) There is a risk of developing a physical or
- 8            psychological dependence on the controlled
- 9            dangerous substance; and
- 10          (C) The risks of taking more opioids than prescribed,
- 11          or mixing sedatives, benzodiazepines, or alcohol
- 12          with opioids, can result in fatal respiratory
- 13          depression.
- 14          (b) The provider shall include a note in the patient's
- 15 medical record that the patient or the patient's parent or
- 16 guardian, as applicable, has discussed with the provider the
- 17 risks of developing a physical or psychological dependence on
- 18 the opioid and alternative treatments that may be available.
- 19          (c) The department of health may develop and make
- 20 available guidelines for the discussion required pursuant to
- 21 this section.



1        (d) As used in this section:

2        "Acute pain" means pain, whether resulting from a disease,  
3 accidental or intentional trauma, or other cause, that the  
4 provider reasonably believes expects to last only a short period  
5 of time. "Acute pain" does not include chronic pain, pain  
6 originating from cancer, pain experienced while the patient is  
7 in palliative care or hospice care, or pain experienced by a  
8 qualified patient under chapter 327L.

9        "Initial prescription" means a prescription issued to a  
10 patient who:

11        (1) Has never previously been issued a prescription for  
12 the opioid; or

13        (2) Was previously issued a prescription for the opioid,  
14 but the date on which the current prescription is  
15 being issued is more than one year after the date the  
16 patient last used or was administered the opioid.

17        When determining whether a patient was previously issued a  
18 prescription for an opioid, the provider shall consult with the  
19 patient and review the patient's medical record and the State  
20 prescription accountability system."

21        SECTION 2. New statutory material is underscored.



# S.B. NO. 2773

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

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INTRODUCED BY: Mike Hubbard

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# S.B. NO. 2773

**Report Title:**

Opioids; Initial Prescription; Acute Pain; Providers; Verbal Discussion; Risks

**Description:**

Requires providers authorized to prescribe opioids to discuss with patients certain risks associated with controlled substances that are opioids prior to issuing initial opioid prescriptions for the treatment of acute pain. Requires providers to include a note acknowledging the discussion of the risks associated with opioids in the patient's medical record.

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