
A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS.

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

1 SECTION 1. The legislature finds that prescription drugs
2 may not be dispensed unless the label of the container
3 identifies the drug prescribed and provides other specific
4 information that is considered essential for public health and
5 safety. Nonetheless, individuals may often have difficulty
6 reading the labels on the prescription drug containers due to
7 disability or age, including persons with low vision or
8 blindness. Difficulty in reading the labels on prescription
9 drug containers may affect as many as sixty thousand residents
10 in the State. The legislature further finds that certain
11 technologies provide the prescription drug label information in
12 alternate formats that are more accessible to persons who have
13 difficulty seeing or reading standard printed labels on
14 prescription drug containers.

15 Accordingly, the purpose of this Act is to:

16 (1) Require certain pharmacies to:



- 1 (A) Provide accessible prescription drug label
- 2 information to individuals who have difficulty
- 3 seeing or reading standard printed labels on
- 4 prescription drug containers; and
- 5 (B) Make sustained, periodic, and reasonable efforts
- 6 to inform the public that prescription drug label
- 7 information is available in alternate accessible
- 8 formats for individuals who have difficulty
- 9 seeing or reading standard printed labels on
- 10 prescription drug containers; and
- 11 (2) Require the board of pharmacy to adopt certain rules
- 12 necessary for the purposes of this Act before
- 13 December 31, 2024.

14 SECTION 2. Chapter 461, Hawaii Revised Statutes, is
 15 amended by adding a new section to be appropriately designated
 16 and to read as follows:

17 "§461- Pharmacies; prescription drug label information;
 18 accessibility. (a) When dispensing a prescription drug to an
 19 individual who, as acknowledged by the individual, has
 20 difficulty seeing or reading standard printed prescription drug
 21 container labels, the dispensing pharmacy shall provide the



1 individual with a means of access to obtain the prescription
2 drug label information required pursuant to section 328-16(a)
3 by:

4 (1) Including an electronic label affixed to the container
5 of the prescription drug that transmits prescription
6 drug label information, directions, and written
7 instructions to an end-user's external accessible
8 device, including an individual's compatible
9 prescription drug reader; or

10 (2) Providing a prescription drug reader at no cost to the
11 individual.

12 (b) Dispensing pharmacies shall make sustained, periodic,
13 and reasonable efforts to inform the public that prescription
14 drug label information is available in accessible formats for
15 individuals who have difficulty seeing or reading standard
16 printed labels on prescription drug containers.

17 (c) Dispensing pharmacies shall otherwise follow the best
18 practices as recommended by the United States Access Board for
19 pharmacies in providing independent access to prescription drug
20 label information.



1 (d) This section shall not apply to a pharmacy that is a
2 sole proprietorship with not more than two pharmacists; provided
3 that the pharmacy requests an exemption from the requirements of
4 this section and the Board approves the pharmacy's request;
5 provided further that the exemption shall be subject to an
6 annual review and approval that the Board may grant on a case by
7 case basis upon a finding that compliance with this section
8 would result in an undue burden for the pharmacy, determined by
9 the Board in accordance with the Americans with Disabilities Act
10 (42 U.S.C. §12182)."

11 SECTION 3. Section 461-1, Hawaii Revised Statutes, is
12 amended by adding two new definitions to be appropriately
13 inserted and to read as follows:

14 "End-user's external accessible device" means a
15 commercially available computer, mobile phone, or other
16 communications device that is able to receive electronic
17 information transmitted from an external source and provide the
18 electronic information in a form and format accessible to the
19 individual.

20 "Prescription drug reader" means a dedicated electronic
21 device that is able to obtain information from an electronic



1 label affixed to a container of prescription drugs and provide
2 the information in an audio format accessible to the
3 individual."

4 SECTION 4. No later than December 31, 2024, the board of
5 pharmacy shall adopt rules pursuant to chapter 91, Hawaii
6 Revised Statutes, necessary to carry out the purposes of this
7 Act. The rules adopted by the board of pharmacy shall:

- 8 (1) Set forth rules in accordance with this Act applicable
9 to hospital pharmacies and manufacturers of medication
10 that provide their products directly to consumers; and
11 (2) Allow the board of pharmacy to deny, revoke, or
12 suspend a pharmacy license or impose a fine not to
13 exceed \$1,000 per violation for failure to comply with
14 the purposes of this Act.

15 SECTION 5. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on June 30, 3000.



Report Title:

Deaf and Blind Task Force; Prescription Drug Label Information; Accessibility; Pharmacies; Board of Pharmacy; Administrative Rules

Description:

Requires certain pharmacies to provide accessible prescription drug label information to individuals who have difficulty seeing or reading prescription drug container labels and inform the public that prescription drug label information is available in alternate accessible formats for individuals who have difficulty seeing or reading prescription drug container labels. Requires the Board of Pharmacy to adopt certain rules by 12/31/2024. Effective 6/30/3000. (SD2)

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