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# A BILL FOR AN ACT

RELATING TO OUT-OF-STATE PRESCRIPTIONS.

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

1           SECTION 1. The legislature finds that administrative rules  
2 adopted by the board of pharmacy permit the transfer of  
3 prescription information between pharmacies for the purpose of  
4 initial prescription fill or refill dispensing. Furthermore, an  
5 out-of-state practitioner may issue a written, oral, or  
6 electronic prescription within the confines of the  
7 practitioner's license and pursuant to Hawaii laws and rules.  
8 Accordingly, it is permissible for a pharmacy in the State to  
9 complete an initial prescription fill and any refills.

10           The legislature recognizes that it is common for an out-of-  
11 state patient to require an acute medication, such as  
12 antibiotics, while visiting the State. When an out-of-state  
13 patient requires medication, the patient's out-of-state  
14 practitioner issues the prescription to an out-of-state  
15 pharmacy. Because Hawaii law does not explicitly permit out-of-  
16 state pharmacies to transfer prescription information to in-  
17 state pharmacies for dispensing an initial prescription fill,  
18 local pharmacists must contact out-of-state practitioners for a



1 verbal order. This results in workflow redundancy and  
2 ultimately treatment delays for out-of-state patients.

3 Accordingly, the purpose of this Act is to authorize out-  
4 of-state pharmacies to transfer prescription information for the  
5 initial fill of an out-of-state prescription in the State.

6 SECTION 2. Section 328-17.6, Hawaii Revised Statutes, is  
7 amended as follows:

8 1. By amending subsection (b) to read:

9 "(b) An out-of-state pharmacy may transfer prescription  
10 information for filling or refilling purposes and an out-of-  
11 state medical oxygen distributor may transfer prescription  
12 information for the purpose of refilling a medical oxygen  
13 order."

14 2. By amending subsection (d) to read:

15 "(d) Before filling or refilling a transferred out-of-  
16 state prescription, or before refilling medical oxygen, a  
17 pharmacist or medical oxygen distributor shall:

18 (1) Except as otherwise authorized for expedited partner  
19 therapy in section 453-52 or for an opioid antagonist  
20 in section 461-11.8, advise the person whose name  
21 appears on the prescription that the prescription on



1 file at the originating out-of-state pharmacy or  
2 medical oxygen distributor may be canceled; and  
3 (2) Record all information required to be on a  
4 prescription, including:  
5 (A) The date of issuance of the original  
6 prescription;  
7 (B) The number of refills authorized on the original  
8 prescription;  
9 (C) The date the original prescription was dispensed;  
10 (D) The number of valid refills remaining and the  
11 date of the last refill;  
12 (E) The out-of-state pharmacy's or out-of-state  
13 medical oxygen distributor's name, telephone  
14 number, and address, and the original  
15 prescription number or control number from which  
16 the prescription information was transferred; and  
17 (F) The name of the transferor pharmacist or the  
18 medical oxygen distributor's agent."

19 SECTION 3. New statutory material is underscored.

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



**Report Title:**

Pharmacies; Out-of-State Prescriptions; Transfer; Initial Fill

**Description:**

Authorizes out-of-state pharmacies to transfer prescription information for the initial fill of an out-of-state prescription in the State. (CD1)

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

