
A BILL FOR AN ACT

RELATING TO PHARMACIES.

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

1 SECTION 1. Section 461-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§461-9 Pharmacist in charge; pharmacy personnel[-];
4 staffing requirements. (a) A registered pharmacist shall be in
5 personal and immediate charge of the pharmacy and personnel
6 employed in the pharmacy. Temporary absences of the registered
7 pharmacist shall be unlawful except for periods of time and
8 under circumstances as authorized under the rules of the board.
9 During any absence of the registered pharmacist, prescriptions
10 may not be filled, compounded, or received by telephone and no
11 drugs shall be sold; provided that this shall not preclude the
12 sale at those times of things that might be sold were the
13 pharmacy a store not subject to this chapter. No person other
14 than a registered pharmacist or a pharmacy intern under the
15 registered pharmacist's immediate supervision shall fill or
16 compound prescriptions except as provided by subsection (c).



1 (b) No person shall practice as a pharmacy intern without
2 having first obtained a permit from the board. The board shall
3 adopt rules pursuant to chapter 91 defining the functions of a
4 pharmacy intern, establishing the requirements to be met by an
5 applicant for a pharmacy intern permit, and specifying the
6 duration of the permit and the procedures for the immediate
7 supervision of the pharmacy intern by a registered pharmacist.

8 (c) A pharmacy technician may be employed to assist the
9 registered pharmacist under rules adopted by the board pursuant
10 to chapter 91 that define the qualifications and functions of
11 the pharmacy technician and provide the procedures for control
12 and supervision by a registered pharmacist.

13 (d) No registered pharmacist shall be required to engage
14 in the practice of pharmacy when the pharmacy is open to the
15 public if no pharmacy intern, pharmacy technician, or pharmacy
16 employee is available to assist the registered pharmacist at all
17 times; provided that if the pharmacy is located within an
18 independent retail establishment the registered pharmacist shall
19 be required to engage in the practice of pharmacy if no employee
20 of the retail establishment is available to assist the
21 registered pharmacist at all times. This subsection shall not



H.B. NO. 2554

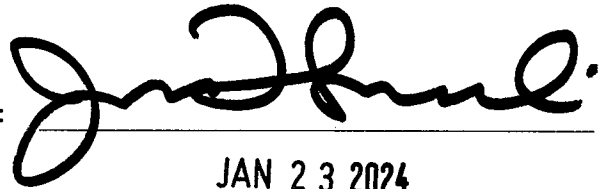
1 apply to a registered pharmacist engaging in the practice of
2 pharmacy at an on-site pharmacy in an institutional facility."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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

6

INTRODUCED BY:



JAN 23 2024



H.B. NO. 2554

Report Title:

Pharmacists; Practice of Pharmacy; Pharmacy Employees; Staffing Requirements

Description:

Requires pharmacies, other than on-site pharmacies in institutional facilities, to make a pharmacy intern, pharmacy technician, pharmacy employee, or an employee of the retail establishment the pharmacy is located in available to assist a registered pharmacist at all times the pharmacy is open to the public.

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