

JAN 17 2024

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, their practitioner issues the
14 prescription to an out-of-state pharmacy. Because Hawaii law
15 does not explicitly permit out-of-state pharmacies to transfer
16 prescription information to in-state pharmacies for dispensing
17 an initial prescription fill, local pharmacists must contact



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

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

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

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

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

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

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

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



1 appears on the prescription that the prescription on
2 file at the originating out-of-state pharmacy or
3 medical oxygen distributor may be canceled; and

4 (2) Record all information required to be on a
5 prescription, including:

6 (A) The date of issuance of the original
7 prescription;

8 (B) The number of refills authorized on the original
9 prescription;

10 (C) The date the original prescription was dispensed;

11 (D) The number of valid refills remaining and the
12 date of the last refill;

13 (E) The out-of-state pharmacy's or out-of-state
14 medical oxygen distributor's name, telephone
15 number, and address, and the original
16 prescription number or control number from which
17 the prescription information was transferred; and

18 (F) The name of the transferor pharmacist or the
19 medical oxygen distributor's agent."

20 SECTION 3. New statutory material is underscored.

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S.B. NO. 2119

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

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INTRODUCED BY: _____

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S.B. NO. 2119

Report Title:

Pharmacists; Out-of-State Prescriptions; Initial Fill

Description:

Authorizes out-of-state pharmacists to transfer prescription information for the initial fill of a prescription.

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

