
A BILL FOR AN ACT

RELATING TO PHARMACY.

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

1 SECTION 1. Chapter 461, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§461- Registered pharmacy technicians; registration
5 required. (a) Beginning January 1, 2026, no person shall act
6 as a pharmacy technician without first obtaining a valid
7 registration issued by the board pursuant to this section.

8 (b) Each registration shall be valid through December 31
9 of each odd-numbered year, upon which the registration shall
10 lapse and a new registration shall be required.

11 (c) The registration fee for a pharmacy technician shall
12 be \$20.

13 (d) Beginning January 1, 2026, a pharmacy shall only
14 employ registered pharmacy technicians to perform pharmacy
15 technician duties. The pharmacist-in-charge shall determine
16 that the person is registered as a pharmacy technician and that
17 the board has issued a certificate of registration for the



1 pharmacy technician before the pharmacy technician performs any
2 tasks identified in this chapter or rules adopted pursuant to
3 this chapter. The supervising registered pharmacist shall be
4 responsible for the actions of the registered pharmacy
5 technician.

6 (e) The certificate of registration shall be prominently
7 displayed in an area accessible to the public in the workplace
8 where the pharmacy technician is employed or practices.

9 (f) If the registered pharmacy technician is suspected to
10 have violated any law or regulation regarding the practice of
11 pharmacy, legend drugs, or controlled substances or if there is
12 evidence that a registered pharmacy technician may have violated
13 any such law or regulation, the pharmacist-in-charge shall
14 notify the board, in writing, within ten days or, if any danger
15 to the public health or safety exists, immediately. Any other
16 registered pharmacist, whether or not practicing in the same
17 pharmacy, who has such knowledge or suspicion shall notify the
18 board, in writing, within ten days or, if any danger to the
19 public health or safety exists, immediately."



1 SECTION 2. Section 461-1, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Registered pharmacy technician" means a person, exclusive
5 of pharmacy interns, registered with the board who is utilized
6 in pharmacies and whose responsibilities are to provide
7 nonjudgmental technical services concerned with the preparation
8 for dispensing of drugs under the direct supervision and
9 responsibility of a registered pharmacist.

10 "Supervision" means the observation, direction, and
11 overseeing of a registered pharmacy technician or pharmacy
12 intern by a physically present, responsible registered
13 pharmacist at all times when either party performs acts
14 specified in this chapter or rules adopted pursuant to this
15 chapter."

16 SECTION 3. Section 461-4.5, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) In addition to any other powers and duties authorized
19 by law, the board:

20 (1) Shall adopt, amend, and repeal rules pursuant to
21 chapter 91, as it deems proper for the purposes of



- 1 this chapter, Public Law 100-293, and title 21 Code of
2 Federal Regulations part 205;
- 3 (2) Shall examine, license, reinstate, and renew the
4 licenses of qualified applicants for registered
5 pharmacists and wholesale prescription drug
6 distributors, issue certificates of registration for
7 registered pharmacy technicians, and issue and renew
8 permits to operate pharmacies;
- 9 (3) May require the inspection of any wholesale
10 prescription drug distributor premises in the State to
11 ensure compliance with this chapter and rules adopted
12 under this chapter, or may require an applicant for a
13 pharmacy license to submit a statement that the
14 premises, including but not limited to security and
15 sanitation, are in conformance with the board's
16 requirements and that the applicant possesses the
17 reference materials and technical clinical equipment
18 and supplies as may be specified in rules adopted
19 under this chapter;
- 20 (4) May fine, suspend, or revoke any license,
21 registration, or permit for any cause prescribed by



1 this chapter, or for any violation of the rules
2 adopted under this chapter, and refuse to grant or
3 renew any license, registration, or permit for any
4 cause which would be ground for revocation or
5 suspension of a license, registration, or permit;

- 6 (5) May deny a license to any applicant who has been
7 disciplined by another state or federal agency.

8 Notwithstanding any law to the contrary, a final order
9 of disciplinary action taken pursuant to this
10 paragraph shall be a matter of public record; and

- 11 (6) May approve pilot and demonstration research projects
12 for innovative applications in the practice of
13 pharmacy; provided that the projects shall not include
14 therapeutic substitution or substitution of a medical
15 device used in patient care; provided further that
16 nothing in this paragraph shall be construed to expand
17 the definition of "practice of pharmacy" [~~as defined~~]
18 under section 461-1. The board may also:

- 19 (A) Approve a provision that grants an exception to
20 any rule adopted under this paragraph;



1 (B) Extend the time an exception to a rule is
2 granted, as may be necessary for the board to
3 adopt an amendment or modification to the rule;

4 (C) Condition approval of a project upon compliance
5 with this section and any rules adopted under
6 this section; and

7 (D) Rescind approval and terminate a project if, at
8 any time, a project fails to protect public
9 health or welfare."

10 SECTION 4. Section 461-5, Hawaii Revised Statutes, is
11 amended by amending its title to read as follows:

12 "§461-5 [Qualifications] Registered pharmacists;
13 qualifications for license."

14 SECTION 5. Section 461-8, Hawaii Revised Statutes, is
15 amended by amending subsections (a) and (b) to read as follows:

16 "(a) All licenses and permits issued by the board, except
17 temporary licenses issued under section 461-7, shall be renewed
18 biennially on or before December 31 of each odd-numbered year.
19 Failure to pay the biennial fee and~~[, beginning with the renewal~~
20 ~~for the licensing biennium commencing on January 1, 2008,~~] to
21 satisfy the continuing education requirement on or before



1 December 31 of each odd-numbered year, shall constitute a
2 forfeiture of the license as of the date of expiration. Failure
3 to pay the biennial fee on or before December 31 of each odd-
4 numbered year shall constitute a forfeiture of the permit as of
5 the date of expiration.

6 (b) Any license or permit forfeited pursuant to subsection
7 (a) may be restored within three years upon payment of any
8 penalty fee, the current biennial fees, and the renewal fee for
9 the next biennium, if applicable, upon submission of proof of
10 compliance with the continuing education requirement for the
11 prior biennium, and upon meeting any other requirements
12 specified in rules adopted pursuant to chapter 91."

13 SECTION 6. Section 461-9, Hawaii Revised Statutes, is
14 amended by amending subsections (b) and (c) to read as follows:

15 "(b) No person shall practice as a pharmacy intern without
16 having first obtained a permit from the board. The board shall
17 adopt rules pursuant to chapter 91 defining the functions of a
18 pharmacy intern, establishing the requirements to be met by an
19 applicant for a pharmacy intern permit, and specifying the
20 duration of the permit and the procedures for the immediate
21 supervision of the pharmacy intern by a registered



1 pharmacist~~(-)~~; provided that the supervising registered
2 pharmacist shall supervise the actions of the pharmacy intern.

3 (c) A registered pharmacy technician may be employed to
4 assist the registered pharmacist under rules adopted by the
5 board pursuant to chapter 91 that define the qualifications and
6 functions of the registered pharmacy technician and provide the
7 procedures for control and supervision by a registered
8 pharmacist."

9 SECTION 7. Section 461-11.4, Hawaii Revised Statutes, is
10 amended by amending subsections (a) through (d) to read as
11 follows:

12 "(a) A pharmacist, pharmacy intern, or registered pharmacy
13 technician under the direct supervision of a registered
14 pharmacist may administer a vaccine to a person three years of
15 age or older; provided that:

16 (1) The vaccine is authorized or approved by the United
17 States Food and Drug Administration;

18 (2) The vaccine has been ordered by a registered
19 pharmacist and administered in accordance with the
20 recommendations of the Advisory Committee on



- 1 Immunization Practices of the United States Department
2 of Health and Human Services;
- 3 (3) The pharmacy intern has completed a practical training
4 program approved by the Accreditation Council for
5 Pharmacy Education that includes hands-on injection
6 technique, clinical evaluation of indications and
7 contraindications of vaccines, and the recognition and
8 treatment of emergency responses to vaccines;
- 9 (4) The registered pharmacy technician has completed a
10 practical training program approved by the
11 Accreditation Council for Pharmacy Education that
12 includes hands-on injection technique;
- 13 (5) The registered pharmacy technician has a Certified
14 Pharmacy Technician certification from either the
15 Pharmacy Technician Certification Board or National
16 Healthcareer Association;
- 17 (6) The registered pharmacist, pharmacy intern, or
18 registered pharmacy technician has a current
19 certificate in basic cardiopulmonary resuscitation;
- 20 (7) The registered pharmacist or registered pharmacy
21 technician has completed a minimum of two credit hours



- 1 in immunization-related continuing education courses
2 during each licensing biennium;
- 3 (8) The registered pharmacist is in compliance with all
4 applicable recordkeeping and reporting requirements,
5 including complying with adverse events reporting
6 requirements;
- 7 (9) The registered pharmacist, pharmacy intern, or
8 registered pharmacy technician has reviewed the
9 patient's vaccination records before administering the
10 vaccine;
- 11 (10) The registered pharmacist has informed the patient and
12 the patient's primary guardian or caregiver of the
13 importance of a well-child visit with a pediatrician
14 or other licensed primary care provider and has
15 referred the patient as appropriate; and
- 16 (11) Where a prescription has been ordered by a person
17 other than the registered pharmacist, the registered
18 pharmacist, pharmacy intern, or registered pharmacy
19 technician shall verify that the prescriber or the
20 prescriber's authorized agent is the patient's medical
21 home.



1 (b) After the vaccination is administered, the registered
2 pharmacist, pharmacy intern, or registered pharmacy technician
3 under the direct supervision of a registered pharmacist shall
4 immediately provide to the patient a vaccination record
5 including the following information:

- 6 (1) The patient's name and date of birth;
7 (2) The type of vaccine administered; and
8 (3) The date and location that the vaccine was
9 administered.

10 (c) The registered pharmacist, pharmacy intern, or
11 registered pharmacy technician under the direct supervision of a
12 registered pharmacist shall make a good faith effort to provide
13 within seventy-two hours to the medical home and within five
14 business days to the department of health immunization registry
15 the same information provided to the patient pursuant to
16 subsection (b) as well as the following:

- 17 (1) The name of the vaccine product that was administered,
18 including the manufacturer, lot number, and expiration
19 date;
20 (2) The method of administration; and
21 (3) The anatomical site of administration.



1 (d) All pharmacy interns or registered pharmacy
2 technicians who administer vaccines to persons three years of
3 age or older shall complete the training program required by
4 subsection (a) and submit the completion certificate for the
5 training program to the board before administering any vaccine
6 to persons three years of age or older."

7 SECTION 8. Section 461-21, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§461-21 Disciplinary action.** (a) In addition to any
10 other actions authorized by law, the board may deny, revoke, or
11 suspend any license, registration, or permit applied for or
12 issued by the board, in accordance with this chapter, and fine
13 or otherwise discipline a licensee, registrant, or permit holder
14 for any cause authorized by law, including but not limited to
15 the following:

- 16 (1) Procuring a license or registration through fraud,
17 misrepresentation, or deceit;
18 (2) Professional misconduct, gross carelessness, or
19 manifest incapacity;



- 1 (3) Permitting an unlicensed or unregistered person to
- 2 perform activities that require a license or
- 3 registration under this chapter;
- 4 (4) Violation of any of the provisions of this chapter or
- 5 the rules adopted pursuant thereto;
- 6 (5) Violation of any state or federal drug, controlled
- 7 substance, or poison law;
- 8 (6) False, fraudulent, or deceptive advertising;
- 9 (7) Any other conduct constituting fraudulent or dishonest
- 10 dealings;
- 11 (8) Failure to comply with a board order;
- 12 (9) Making a false statement on any document submitted or
- 13 required to be filed by this chapter, including a
- 14 false certification of compliance with the continuing
- 15 education requirement;
- 16 (10) Habitual intemperance or addiction to the use of
- 17 habit-forming drugs;
- 18 (11) Administering a vaccine, including a human
- 19 papillomavirus, Tdap (tetanus, diphtheria, pertussis),
- 20 meningococcal, or influenza vaccine, without complying
- 21 with section 461-11.4; or



1 (12) Prescribing or dispensing contraceptive supplies
2 without complying with section 461-11.6.

3 (b) Any person who violates any of the provisions of this
4 chapter or the rules adopted pursuant [~~thereto~~] this chapter
5 shall be fined not less than \$100 nor more than \$1,000 for each
6 violation.

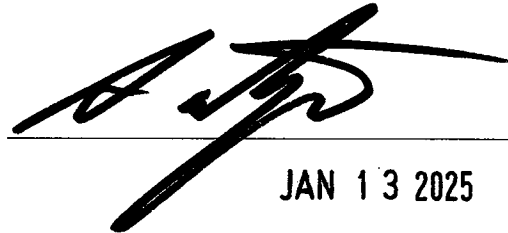
7 (c) All proceedings for denial, suspension, fine, or
8 revocation of a license, registration, or permit on any grounds
9 specified in subsection (a) shall be conducted pursuant to
10 chapter 91, including the right of judicial review."

11 SECTION 9. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 10. This Act shall take effect on July 1, 2025.

14

INTRODUCED BY:



JAN 13 2025



H.B. NO. 72

Report Title:

Registered Pharmacy Technicians; Registration

Description:

Beginning 1/1/2026, requires physician technicians to be registered. Imposes a duty on pharmacists-in-charge to report violations conducted by registered pharmacy technicians. Specifies that supervising registered pharmacists are responsible for the actions of registered pharmacy technicians and pharmacy interns.

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

