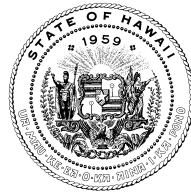


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STATE OF HAWAII
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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August 2016

TO: All Hawaii Registered Pharmacists
FROM: The Hawaii State Board of Pharmacy
RE: 2016 Legislation

The following pharmacy related bills were approved by Governor Ige and enacted into law:

Act 68, SLH 2016 Relating to Opioid Antagonists

Approved: June 16, 2016

Effective: June 16, 2016

Purpose: Takes steps to reduce opioid-related drug related overdoses in the State by encouraging the use of opioid antagonists to assist individuals experiencing or at risk of experiencing an opioid-related drug overdose by creating a new HRS Chapter entitled "Overdose Prevention and Emergency Response Act" to be administered by the Department of Health. This bill also amended HRS Chapter 461-1, definition of "Practice of pharmacy" to include the following:

- (l) Dispensing an opioid antagonist in accordance with a written collaborative agreement approved by the board, between a licensed physician and a pharmacist who has received appropriate training that includes programs approved by the American Council on Pharmaceutical Education (ACPE), curriculum-based programs from an ACPE-accredited college of pharmacy, state or local health department programs, or programs recognized by the board;

Act 137, SLH 2016 Relating to Health Care

Approved: June 29, 2016

Effective: January 1, 2017

Purpose: Establishes a durable medical equipment supplier license program for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies through the office of health care assurance. Allows license fees to be deposited into the office of health care assurance special fund. Amends the cap on amounts of the office of health care assurance special fund that may be used per fiscal year. Amends the balance of the office of health care assurance special fund above which moneys are deposited into the general fund.

Licensed/permitted pharmacies who “dispense” DME supplies will not be subject to this additional license requirement.

Act 183, SLH 2016 Relating to Advance Practice Registered Nurses

Approved: July 1, 2016

Effective: July 1, 2016

Purpose: Improve patient access to medical care by clarifying the circumstances under which APRNs may practice to the fullest extent of their training and education. The following state statutes were amended:

- **HRS 328-1 – Definition of “Out-of-state practitioner” was amended to include APRNs;**
- HRS 334-59 – Includes APRNs, along with psychiatrist and psychologist, who may perform an emergency examination of a patient to diagnose the presence or absence of a mental disorder, assess the risk that the patient may be dangerous to self or others, and assess whether or not the patient needs to be hospitalized;
- HRS 338-9 – Allows APRNs to certify the cause of death; see *below*
- HRS 338-10 – Allows APRNs to notify the department of health of a late determination of the cause of death; see *below*
- HRS 386-1 – Amends the definition of “Health care provider” to include APRNs;
- HRS 457-8.6 – Clarifies authority of APRNs with prescriptive authority to dispense non-controlled substances to patients under their care; and
- **HRS 461-1 – Includes APRNs with prescriptive authority as a practitioner with whom a pharmacist may enter into a collaborative agreement with.**

Act 218, SLH 2016 Relating to the Uniform Controlled Substances Act

Approved: July 6, 2016

Effective: July 1, 2016

Purpose: Updates the Uniform Controlled Substances Act to make it consistent with amendments in federal controlled substances law. Clarifies existing definitions to be consistent with federal controlled substance law; and adds new definitions to allow the use of "delegates" by practitioners and pharmacists to access the electronic prescription accountability system. Clarifies that individuals that conduct reverse distribution with controlled substances must register with the Department of Public Safety and follow appropriate controlled substance statutes and rules. Allows for the posting of updates to Hawaii's drug schedules on the department's website. Requires that all practitioners, except veterinarians, and pharmacies register to utilize the electronic prescription accountability system when they obtain a controlled substance registration. Authorizes the Department of Public Safety Narcotics Enforcement Division Administrator to allow access to state, county, or federal regulatory agencies to the database when conducting joint regulatory investigations. Deletes the requirement for a pseudoephedrine permit for transporting over 3 packages of pseudoephedrine.

Act 242, SLH 2016 Relating to Medicines

Approved: July 12, 2016

Effective: July 1, 2016

Purpose: Allows for and regulates the dispensing of interchangeable biological products. Requires pharmacists to inform consumers of interchangeable biological products from the Hawaii list when filling a prescription order and to communicate the product name and manufacturer to the practitioner after dispensing the product. Repeals the Drug Product Selection Board.

Amendments were made to HRS Chapter 328, Department of Health, Food and Drug Branch.

Act 226, SLH 2016 Relating to Telehealth

Approve: 7/7/2016

Effective: 1/1/2017

Purpose: Includes APRNs under the definition of “Health care provider” in regards to coverage for telehealth.

Act 230, SLH 2016 Relating to Medical Marijuana

Approved: 7/11/2016

Effective: 7/11/2016

Purpose: As it pertains to nurses only, allows APRNs with prescriptive authority and registered with the Department of Public Safety, Narcotics Enforcement Division to qualify their patient for medical marijuana.

The Board is currently amending the November 2011 Exclusionary Formulary List. But for more information on Hawaii Medical Marijuana Program, you may go to the following web page under the Hawaii State Department of Health:

health.hawaii.gov/medicalmarijuana