



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 5, 2019

GOV. MSG. NO. 1358

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirtieth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirtieth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 5, 2019, the following bill was signed into law:

SB536 SD2 HD1 CD1

RELATING TO PRESCRIPTIONS.
ACT 256 (19)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO PRESCRIPTIONS.

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

1 SECTION 1. Section 329-38, Hawaii Revised Statutes, is
2 amended by amending subsections (b) and (c) to read as follows:

3 "(b) A schedule II controlled substance prescription
4 shall:

5 (1) Be filled within seven days following the date the
6 prescription was issued to the patient; and

7 (2) Be supplied to a patient only if the prescription has
8 been filled and held by the pharmacy for not more than
9 seven days[-]; provided that a prescription issued to
10 a qualified patient pursuant to chapter 327L shall be
11 supplied to the patient if the prescription has been
12 filled and held by the pharmacy for not more than
13 thirty days.

14 (c) Initial concurrent prescriptions for opioids and
15 benzodiazepines shall not be for longer than seven consecutive
16 days unless the prescription is issued for a qualified patient
17 pursuant to chapter 327L or a supply of longer than seven days
18 is determined to be medically necessary for the treatment of:



- 1 (1) Pain experienced while the patient is in post-
- 2 operative care;
- 3 (2) Chronic pain and pain management;
- 4 (3) Substance abuse or opioid or opiate dependence;
- 5 (4) Cancer;
- 6 (5) Pain experienced while the patient is in palliative
- 7 care; or
- 8 (6) Pain experienced while the patient is in hospice care;
- 9 provided that if a prescribing practitioner issues a concurrent
- 10 prescription for more than a seven-day supply of an opioid and
- 11 benzodiazepine, the practitioner shall document in the patient's
- 12 medical record the condition for which the practitioner issued
- 13 the prescription and that an alternative to the opioid and
- 14 benzodiazepine was not appropriate treatment for the condition."

15 SECTION 2. Section 329-38.2, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) No prescriber shall prescribe a schedule II, III, or
18 IV controlled substance without first requesting, receiving, and
19 considering records of the ultimate user from the state
20 electronic prescription accountability system as needed to
21 reduce the risk of abuse of or addiction to a controlled



1 substance, as needed to avoid harmful drug interactions, or as
2 otherwise medically necessary; provided that this subsection
3 shall not apply to:

4 (1) Any prescription for a supply of three days or less
5 that is made in an emergency situation, by an
6 emergency medical provider, or in an emergency room;
7 [and]

8 (2) Any prescription written while the state electronic
9 prescription accountability system is
10 nonfunctional[-]; and

11 (3) Any prescription written pursuant to chapter 327L."

12 SECTION 3. Section 329-38.5, Hawaii Revised Statutes, is
13 amended by amending subsection (c) to read as follows:

14 "(c) For the purposes of this section, "qualifying opioid
15 therapy patient" means:

16 (1) A patient requiring opioid treatment for more than
17 three months;

18 (2) A patient who is prescribed benzodiazepines and
19 opioids together; or

20 (3) A patient who is prescribed a dose of opioids that
21 exceeds ninety morphine equivalent doses[-];



1 provided that the term "qualifying opioid therapy patient" shall
2 not apply to any qualifying patient who is issued or receives a
3 prescription pursuant to chapter 327L."

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

6 SECTION 5. This Act shall take effect upon its approval;
7 provided that the amendments made to section 329-38, Hawaii
8 Revised Statutes, by section 1 of this Act shall not be repealed
9 when that section is repealed and reenacted pursuant to Act 66,
10 Session Laws of Hawaii 2017.

APPROVED this 05 day of JUL, 2019

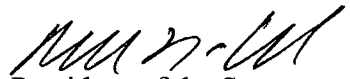



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: April 30, 2019
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirtieth Legislature of the State of Hawai'i, Regular Session of 2019.


President of the Senate


Clerk of the Senate

SB No. 536, SD 2, HD 1, CD 1

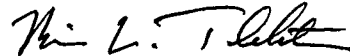
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2019
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives