
A BILL FOR AN ACT

RELATING TO THE PRACTICE OF PHARMACY.

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

1 SECTION 1. The legislature finds that there is a need for
2 more access to healthcare professionals, particularly registered
3 pharmacists, who can safely provide certain health care services
4 to achieve positive health outcomes for patients. Pharmacists
5 provide the most direct access for patients to resolve public
6 health issues with minimum impact to the overall health system.
7 Technology has changed the delivery of healthcare over the last
8 thirty years, leaving the description of the practice of
9 pharmacy inaccurate. Pharmacy education has changed over the
10 years from an apprentice program to a six-year doctorate program
11 that includes education assessment training and a year of
12 internship working as a pharmacist intern team member. Pharmacy
13 education now includes immunization and smoking cessation
14 training, along with other specialty training so that
15 pharmacists are well prepared to take some of the public health
16 burden to give all patients the access they deserve to improve
17 their quality of life. A good example of how the pharmacists'



1 role can impact public health and cost is shown with
2 immunization since pharmacists were given limited providership
3 about fifteen years ago. Pharmacists now immunize more patients
4 than any other healthcare professionals and immunization rates
5 have grown, reducing disease and morbidity in the overall
6 population.

7 Registered pharmacists who receive proper training, working
8 under written protocols, will be able to:

- 9 (1) Provide healthcare services such as furnishing
10 Naloxone and Epi-pens;
- 11 (2) Administer immunizations and vaccines for bacterial
12 and viral infections such as influenza, pneumonia, and
13 hepatitis A;
- 14 (3) Furnish and counsel patients on self-administered
15 hormonal conception and smoking cessation replacement
16 therapy; and
- 17 (4) Order and perform laboratory tests to determine
18 appropriate medication use and outcomes.

19 The legislature further finds that the disciplines of
20 medicine, nursing, and naturopathy are complemented by
21 registered pharmacists and that pharmacists are essential as



1 part of the primary healthcare team to serve the interests of
2 the patient and the public health in general.

3 The purpose of this Act is to modernize the scope of the
4 practice of pharmacy to allow pharmacists to furnish specific
5 medications and services that directly impact public health and
6 the cost of healthcare.

7 SECTION 2. Section 461-1, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By adding a new definition to be appropriately inserted
10 and to read:

11 "Furnish" or "furnishing" means to supply by any means, by
12 sale or otherwise."

13 2. By amending the definition of "practice of pharmacy" to
14 read:

15 "Practice of pharmacy" means:

16 (1) (A) The interpretation and evaluation of prescription
17 orders; the compounding, dispensing, and labeling
18 of drugs and devices (except labeling by a
19 manufacturer, packer, or distributor of
20 nonprescription drugs and commercially legend
21 drugs and devices); the participation in drug



1 selection and drug utilization reviews; the
2 proper and safe storage of drugs and devices and
3 the maintenance of proper records therefor; the
4 responsibility for advising when necessary or
5 where regulated, of therapeutic values, content,
6 hazards, and use of drugs and devices;

7 (B) Ordering drug therapy related laboratory tests;

8 (C) Administering:

9 (i) Immunizations orally, by injection, or by
10 intranasal delivery, to persons eighteen
11 years of age or older by a pharmacist having
12 appropriate training that includes programs
13 approved by the Accreditation Council for
14 Pharmacy Education (ACPE), curriculum-based
15 programs from an ACPE-accredited college of
16 pharmacy, or programs recognized by the
17 board; provided that after the vaccination
18 is administered, the pharmacist shall
19 provide within five business days to the
20 department of health immunization registry a
21 vaccination record including the patient's



1 name and date of birth, the type of vaccine
2 administered, and the date and location that
3 the vaccine was administered, the name of
4 the vaccine product that was administered,
5 including the manufacturer, lot number, and
6 expiration date, the method of
7 administration, and the anatomical site of
8 administration;

9 (ii) Immunizations orally, by injection, or by
10 intranasal delivery to persons between
11 fourteen and seventeen years of age pursuant
12 to section 461-11.4 by a pharmacist having
13 appropriate training that includes programs
14 approved by the ACPE, curriculum-based
15 programs from an ACPE-accredited college of
16 pharmacy, or programs recognized by the
17 board; and

18 (iii) Human papillomavirus, Tdap (tetanus,
19 diphtheria, pertussis), meningococcal, and
20 influenza vaccines to persons between eleven
21 and seventeen years of age pursuant to



1 section 461-11.4 by a pharmacist having
2 appropriate training that includes programs
3 approved by the ACPE, curriculum-based
4 programs from an ACPE-accredited college of
5 pharmacy, or programs recognized by the
6 board;

7 (D) Transmitting a valid prescription to another
8 pharmacist for the purpose of filling or
9 dispensing;

10 (E) Providing consultation, information, or education
11 to patients and health care professionals based
12 on the pharmacist's training and for which no
13 other licensure is required; and

14 (F) Furnishing an opioid antagonist, epinephrine auto
15 injector, hormonal contraception, travel
16 medications, and tobacco cessation nicotine
17 replacement therapy by a pharmacist who has
18 received appropriate training, including programs
19 approved by the ACPE, curriculum-based programs
20 from an ACPE-accredited college of pharmacy, or
21 programs recognized by the board;



- 1 (2) Performing the following procedures or functions as
2 part of the care provided by and in concurrence with a
3 "health care facility" and "health care service" as
4 defined in section 323D-2, or a "pharmacy" or a
5 licensed physician or a licensed advanced practice
6 registered nurse with prescriptive authority, or a
7 "managed care plan" as defined in section 432E-1, in
8 accordance with written policies, procedures, [øx]
9 protocols, or standing orders issued to an individual
10 pharmacist or a pharmacy and developed collaboratively
11 by health professionals, including physicians and
12 surgeons, pharmacists, and registered nurses, and for
13 which a pharmacist has received appropriate training
14 required by these policies, procedures, or protocols:
- 15 (A) Ordering or performing routine drug therapy
16 related patient assessment procedures;
- 17 ~~[(B) Ordering drug therapy related laboratory tests,~~
18 ~~(C)]~~ (B) Initiating emergency contraception oral drug
19 therapy in accordance with a written
20 collaborative agreement approved by the board,
21 between a licensed physician or advanced practice



1 registered nurse with prescriptive authority and
2 a pharmacist who has received appropriate
3 training that includes programs approved by the
4 ~~[American Council of Pharmaceutical Education~~
5 ~~(+)ACPE(+)]~~, curriculum-based programs from an
6 ACPE-accredited college of pharmacy, state or
7 local health department programs, or programs
8 recognized by the board of pharmacy;

9 ~~[(D)]~~ (C) Administering drugs orally, topically, by
10 intranasal delivery, or by injection, pursuant to
11 the order of the patient's licensed physician or
12 advanced practice registered nurse with
13 prescriptive authority, by a pharmacist having
14 appropriate training that includes programs
15 approved by the ACPE, curriculum-based programs
16 from an ACPE-accredited college of pharmacy,
17 ~~[state or local health department programs,~~] or
18 programs recognized by the board of pharmacy;

19 ~~[(E) Administering:~~

20 ~~(i) Immunizations orally, by injection, or by~~
21 ~~intranasal delivery, to persons eighteen~~



1 ~~years of age or older by a pharmacist having~~
2 ~~appropriate training that includes programs~~
3 ~~approved by the ACPE, curriculum-based~~
4 ~~programs from an ACPE accredited college of~~
5 ~~pharmacy, state or local health department~~
6 ~~programs, or programs recognized by the~~
7 ~~board of pharmacy;~~

8 ~~(ii) Vaccines to persons between fourteen and~~
9 ~~seventeen years of age pursuant to section~~
10 ~~461-11.4; and~~

11 ~~(iii) Human papillomavirus, Tdap (tetanus,~~
12 ~~diphtheria, pertussis), meningococcal, and~~
13 ~~influenza vaccines to persons between eleven~~
14 ~~and seventeen years of age pursuant to~~
15 ~~section 461-11.4;~~

16 ~~(F)]~~ (D) As authorized by the written instructions of
17 a licensed physician or advanced practice
18 registered nurse with prescriptive authority,
19 initiating or adjusting the drug regimen of a
20 patient pursuant to an order or authorization
21 made by the patient's licensed physician or



1 advanced practice registered nurse with
2 prescriptive authority and related to the
3 condition for which the patient has been seen by
4 the licensed physician or advanced practice
5 registered nurse with prescriptive authority;
6 provided that the pharmacist shall issue written
7 notification to the patient's licensed physician
8 or advanced practice registered nurse with
9 prescriptive authority or enter the appropriate
10 information in an electronic patient record
11 system shared by the licensed physician or
12 advanced practice registered nurse with
13 prescriptive authority, within twenty-four hours;
14 ~~[(G) Transmitting a valid prescription to another~~
15 ~~pharmacist for the purpose of filling or~~
16 ~~dispensing;~~
17 ~~-(H) Providing consultation, information, or education~~
18 ~~to patients and health care professionals based~~
19 ~~on the pharmacist's training and for which no~~
20 ~~other licensure is required; or~~



1 ~~(I) Dispensing an opioid antagonist in accordance~~
2 ~~with a written collaborative agreement approved~~
3 ~~by the board, between a licensed physician and a~~
4 ~~pharmacist who has received appropriate training~~
5 ~~that includes programs approved by the ACPE,~~
6 ~~curriculum-based programs from an ACPE-accredited~~
7 ~~college of pharmacy, state or local health~~
8 ~~department programs, or programs recognized by~~
9 ~~the board,]~~

10 (3) The offering or performing of those acts, services,
11 operations, or transactions necessary in the conduct,
12 operation, management, and control of pharmacy; and

13 (4) Prescribing and dispensing contraceptive supplies
14 pursuant to section 461-11.6."

15 SECTION 3. (a) There is established a working group on
16 pharmacy licensing within the department of commerce and
17 consumer affairs to review the scope of practice of pharmacists
18 and continuing competency requirements for pharmacists as they
19 relate to Hawaii's licensing and regulatory laws for
20 pharmacists.

21 (b) The working group shall comprise:



1 (1) The director of commerce and consumer affairs, or the
2 director's designee, who shall serve as the chair;

3 (2) One representative from the insurance industry to be
4 selected by the senate president;

5 (3) One representative from the insurance industry to be
6 selected by the speaker of the house of
7 representatives;

8 (4) One representative representing pharmacists to be
9 selected by the senate president; and

10 (5) One representative representing pharmacists to be
11 selected by the speaker of the house of
12 representatives.

13 (c) The working group shall commence no later than
14 August 1, 2018, and shall cease on June 30, 2019.

15 (d) The working group shall submit a report of its
16 findings and recommendations, including any proposed
17 legislation, to the legislature no later than twenty days before
18 the convening of the regular session of 2019.

19 SECTION 4. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



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

3 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Healthcare; Practice of Pharmacy

Description:

Amends the definition of "practice of pharmacy" to expand the scope of services and specific medications that pharmacists may furnish. Establishes a working group to review the scope of practice of pharmacists and continuing competency requirements for pharmacists. (HB1950 HD2)

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

