RELATING TO ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM.

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

SECTION 1. Section 329-104, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) This section shall not prevent the disclosure, at the discretion of the administrator, of investigative information to:

(1) Law enforcement officers, investigative agents of federal, state, or county law enforcement or regulatory agencies, United States attorneys, county prosecuting attorneys, or the attorney general; provided that the administrator has reasonable grounds to believe that the disclosure of any information collected under this part is in furtherance of an ongoing criminal or regulatory investigation or prosecution;

(2) Registrants authorized under chapters 448, 453, and 463E who are registered to administer, prescribe, or dispense controlled substances and their practitioner
delegate; provided that the information disclosed
relates only to the registrant's own patient;

(3) Pharmacists or pharmacist delegates, employed by a
pharmacy registered under section 329-32, who request
prescription information about a customer relating to
a violation or possible violation of this chapter;

(4) Other state-authorized governmental prescription-
monitoring programs;

(5) The chief medical examiner or licensed physician
designee who requests information and certifies the
request is for the purpose of investigating the death
of an individual;

(6) Qualified personnel for the purpose of bona fide
research or education; provided that data elements
that would reasonably identify a specific recipient,
prescriber, or dispenser shall be deleted or redacted
from the information prior to disclosure; provided
further that release of the information may be made
only pursuant to a written agreement between qualified
personnel and the administrator in order to ensure
compliance with this subsection; [and]
(7) Other entities or individuals authorized by the administrator to assist the program with projects that enhance the electronic prescription accountability system; and

(8) Authorized employees of the department of health alcohol and drug abuse division and the emergency medical services and injury prevention system branch.

Information disclosed to a registrant, pharmacist, or authorized government agency under this section shall be transmitted by a secure means determined by the designated agency."

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

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: ___________________________

JAN 2 4 2019
Report Title:
Electronic Prescription Accountability System; Disclosure

Description:
Amends section 329-104(c), Hawaii Revised Statutes, to allow the Department of Public Safety Narcotics Enforcement Division Administrator to disclose, at the Administrator's discretion, confidential information from the Electronic Prescription Accountability System, more commonly known as the Prescription Drug Monitoring Program, to authorized employees of the Department of Health Alcohol and Drug Abuse Division and the Emergency Medical Services and Injury Prevention Systems Branch.

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