A BILL FOR AN ACT

RELATING TO THE BOARD OF PHARMACY.

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

SECTION 1. The legislature finds that the role of the pharmacist has drastically evolved over the past fifty years. Pharmacists have moved beyond their traditional compounding and dispensing functions behind the pharmacy counter and now provide more patient-centered, primary-care based services, such as medication therapy management, preventative care screenings, and immunizations. Pharmacists are therefore well situated to provide patient education and increase access to health care.

The legislature also finds that there is a need to continually improve the effectiveness of health care delivery systems, including pharmacies. One way of accomplishing this objective is to utilize new technologies that enable health care personnel to reallocate health tasks to better and more efficiently meet the health needs of the public. The legislature further finds that experimentation with new technologies and combinations of health care delivery systems can enhance a pharmacist's ability to provide more patient-centered services.
Accordingly, the purpose of this Act is to authorize the board of pharmacy to approve pilot and demonstration research projects for innovative applications in the practice of pharmacy.

SECTION 2. Section 461-4.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

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

(1) Shall adopt, amend, and repeal rules pursuant to chapter 91, as it deems proper for the purposes of this chapter, Public Law 100-293, and title 21 Code of Federal Regulations part 205;

(2) Shall examine, license, reinstate, and renew the licenses of qualified applicants for registered pharmacists and wholesale prescription drug distributors, and issue and renew permits to operate pharmacies;

(3) May require the inspection of any wholesale prescription drug distributor premises in the State to ensure compliance with this chapter and rules adopted under this chapter, or may require an applicant for a
pharmacy license to submit a statement that the
premises, including but not limited to security and
sanitation, are in conformance with the board's
requirements and that the applicant possesses the
reference materials and technical clinical equipment
and supplies as may be specified in rules adopted
under this chapter;

(4) May fine, suspend, or revoke any license or permit for
any cause prescribed by this chapter, or for any
violation of the rules adopted under this chapter, and
refuse to grant or renew any license or permit for any
cause which would be ground for revocation or
suspension of a license or permit; [and]

(5) May deny a license to any applicant who has been
disciplined by another state or federal agency.
Notwithstanding any law to the contrary, a final order
of disciplinary action taken pursuant to this
paragraph shall be a matter of public record[†]; and

(6) May approve pilot and demonstration research projects
for innovative applications in the practice of
pharmacy; provided that the projects shall not include
therapeutic substitution or substitution of a medical
device used in patient care; provided further that
nothing in this paragraph shall be construed to expand
the definition of "practice of pharmacy" as defined
under section 461-1. The board may also:
(A) Approve a provision that grants an exception to
any rule adopted under this paragraph;
(B) Extend the time an exception to a rule is
granted, as may be necessary for the board to
adopt an amendment or modification to the rule;
(C) Condition approval of a project upon compliance
with this section and any rules adopted under
this section; and
(D) Rescind approval and terminate a project if, at
any time, a project fails to protect public
health or welfare."

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.
SECTION 4. This Act shall take effect upon its approval.
Report Title:
Board of Pharmacy; Pilot and Demonstration Research Projects

Description:
Allows the board of pharmacy to approve pilot and demonstration projects for innovative applications in the practice of pharmacy under certain conditions. (CD1)

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