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# A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS.

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

1           SECTION 1. The legislature finds that several laws to  
2 address the nationwide opioid epidemic were passed during the  
3 2018 legislative session, including laws allowing pharmacists to  
4 prescribe and dispense opioid antagonists to patients who are at  
5 risk of an opioid overdose; requiring health care providers in  
6 the workers' compensation system to adopt and maintain policies  
7 for informed consent to opioid therapy in circumstances that  
8 carry elevated risk of dependency; limiting concurrent opioid  
9 and benzodiazepine prescriptions in the workers' compensation  
10 system; and requiring packaging on opioid drugs to include a  
11 label warning of the risks of overdose and addiction.

12           However, the legislature finds that additional measures  
13 need to be enacted in order to address the safe disposal of  
14 unused or unwanted opioid drugs. Allowing pharmacies to accept  
15 prescription drugs for disposal provides a convenient,  
16 accessible method for Hawaii residents to dispose of opioid  
17 drugs that are no longer needed.



1 The purpose of this Act is to:

2 (1) Authorize certain pharmacies to collect prescription  
3 drugs for disposal via secured collection receptacles  
4 or mail-back programs; and

5 (2) Prohibit pharmacies from redispensing or returning  
6 prescription drugs that have been returned for  
7 disposal.

8 SECTION 2. Chapter 461, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§461- Return for disposal of unused, remaining, or  
12 expired drugs; pharmacy options. (a) No pharmacy shall accept  
13 the return of any prescription drug unless:

14 (1) The pharmacy is collecting the prescription drug for  
15 disposal only; and

16 (2) The pharmacy is registered with the United States Drug  
17 Enforcement Administration as an authorized collector  
18 pursuant to title 21 Code of Federal Regulations  
19 section 1317.40.

20 (b) No prescription drug returned to the pharmacy for  
21 disposal shall be redispensed or returned for cash or credit.



1        (c) Any pharmacy accepting prescription drugs for disposal  
2 shall use the following methods:

3        (1) Secured collection receptacles in compliance with  
4        title 21 Code of Federal Regulations section 1317.75;  
5        or

6        (2) Mail-back programs.

7        (d) In any pharmacy accepting prescription drugs for  
8 disposal under this section, the pharmacist-in-charge shall  
9 ensure that only Drug Enforcement Administration approved  
10 reverse distributors acquire prescription drugs collected  
11 through collection receptacles and mail-back programs."

12        SECTION 3. New statutory material is underscored.

13        SECTION 4. This Act shall take effect upon its approval.

14



**Report Title:**

Pharmacies; Prescription Drugs; Return for Disposal

**Description:**

Authorizes pharmacies to accept the return of any prescription drug for disposal via collection receptacles or mail-back programs; prohibits pharmacies from redispensing returned prescription drugs or from accepting returned prescription drugs in exchange for cash or credit; requires the pharmacist-in-charge to ensure that only authorized reverse distributors acquire prescription drugs collected via collection receptacles or mail-back programs. (SD1)

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

