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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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December 15, 2008

### REPORT TO THE LEGISLATURE REGULAR SESSION 2009, PURSUANT TO ACT 212, SLH 2008

This report is filed pursuant to Act 212, SLH 2008, which requires the Department of Commerce and Consumer Affairs ("DCCA"), to report to the Legislature information on the use of the remote dispensing machines. The Board of Pharmacy ("Board") is responding to the Legislative request on behalf of the Department.

Act 212 amended Hawaii Revised Statutes Chapter 461, Relating to Pharmacists and Pharmacies, to permit the operation of remote dispensing machines by a licensed pharmacy and pharmacist. The remote dispensing technology would allow a pharmacist to dispense prescription medications from a location away from the responsible pharmacy, via live computer, video and audio link with the responsible pharmacy and pharmacist-in-charge. This technology would still allow the pharmacist-in-charge to have immediate supervision and control over the dispensing of prescription medications from the remote dispensing pharmacy. Act 212 also made it clear that remote dispensing machines shall not be operated within a five-mile radius of any pharmacy and that remote dispensing pharmacies shall only provide medications to patients covered by QUEST. Prior notification to the Board to establish any remote dispensing pharmacy is required.

As of the date of this report, two entities, Ho'ola Lahui Hawaii Pharmacy and Waianae Coast Comprehensive Health Center, have both applied for two (2) remote dispensing sites. However, none of the four (4) sites are in operation because, according to both entities, they are not stocked, training of personnel has not yet occurred, or the pharmacy or remote dispensing site is not ready for operation.

No other notifications for remote dispensing machines or formal inquiries regarding the use of the remote dispensing technology have been received by the Board.