Workers' Comp

Hawaii Legislature Sends Opioid Limits Bill to Governor

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The Hawaii Legislature passed SB2244 and sent the legislation to Governor Ige for his signature on May 3, 2018. The measure is designed to combat the overprescribing and abuse of opioid medications in Hawaii's workers' compensation system. The legislature is an important step forward, but hopefully not an end point of Hawaii's effort to combat opioids in the Aloha State.

The following is a summary of the various provisions of the legislation:

- Beginning July 1, 2019, any health care provider authorized to prescribe opioids should have in place policies that require an informed consent process between the physician and a qualifying injured employee when opioids are being prescribed.
- A “qualifying injured employee” means one of the following:
    - An injured employee requiring opioid treatment for more than three months
    - An injured employee who is prescribed benzodiazepines and opioid together
    - An injured employee who is prescribed a dose of opioids that exceeds 90 morphine equivalent doses (MED)
- Initial concurrent prescriptions for opioids and benzodiazepines should not exceed a seven day supply, except when medically necessary for treating the following conditions:
    - Pain experienced while in post-operative care
    - Chronic pain and pain management
    - Substance abuse or opioid dependence treatment
    - Pain while in palliative care
    - Pain while in hospice care
- After an initial prescription for opioids or benzodiazepines, an authorized provider may authorize subsequent prescriptions if deemed medically necessary to treat post-operative care or for ongoing pain management.

- Injured employees using opioids or benzodiazepines on an ongoing basis shall be see once every ninety days by the treating physician for as long as the medications are being prescribed.

While this legislation is not as strict as some of the opioid policies being enacted in other states, it is still a positive move to help injured employees in Hawaii get the best possible care while minimizing the risk of dependence and addiction.

For the complete text of SB2244, please click here.

For questions about this alert, or for other legislative and regulatory matters, please contact Brian Allen at brian.allen@mitchell.com.



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