

SENATE BILL REPORT

SB 6651

As Reported By Senate Committee On:
Health & Long-Term Care, February 6, 1998

Title: An act relating to electronic transfer of prescription information.

Brief Description: Regarding electronic transfer of prescription information.

Sponsors: Senators Wood, Franklin and Winsley.

Brief History:

Committee Activity: Health & Long-Term Care: 2/3/98, 2/6/98 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 6651 be substituted therefor, and the substitute bill do pass.

Signed by Senators Deccio, Chair; Wood, Vice Chair; Benton, Fairley, Franklin, Strannigan and Wojahn.

Staff: Joan K. Mell (786-7447)

Background: Statutes and rules governing communication of prescription information have not kept pace with present day communication systems. The use of electronic equipment for transferring patient prescription information is not currently authorized or regulated.

Summary of Substitute Bill: The statutes concerning legend drugs and controlled substances are amended to include a definition of electronic communication of prescription information.— The definition is set forth as: the communication of prescription information by computer, or the transmission of an exact visual image of a prescription by a facsimile, or other electronic means for original prescription information or prescription refill information for a legend drug or controlled substance Schedule III-V between an authorized practitioner and a pharmacy or the transfer of prescription information for a legend drug or controlled substance Schedule III-V from one pharmacy to another pharmacy. No intervening person between physician and pharmacy can have access to the prescription drug order.

In addition, a new section is added to the legend drug and controlled substance chapters that allows for electronic communication to a pharmacy of a patient's choice the original prescription or other information concerning a prescription refill. Electronically-communicated prescription information has to meet the rules of form, content, record keeping and processing are for paper prescriptions.

The Board of Pharmacy must approve the electronic communication system. Electronic prescription information is confidential. Adequate security and system safeguards that

prevent and detect unauthorized access, modification, or manipulation must be established and are the responsibility of the pharmacist.

Substitute Bill Compared to Original Bill: Electronic transmission could occur for Schedule I and II controlled substances in the original bill.

Communication of prescription information was one directional, from pharmacy to physician rather than between the two. There was no reference to intervening persons having access to the prescription.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Making these statutory changes keeps pace with current technology. Errors are reduced because prescriptions would be legible. Security measures are required.

Testimony Against: None.

Testified: PRO: Gordon Walgren, WA State Pharmacists; Lis Merten, NACDS; C.J. Kahler, U&I Pharmacies; Stu Halsan, RiteAid Thrifty Payless; Don Williams, DOH.