1769-S
Sponsor(s): House Committee on Health Care (originally sponsored by
Representatives Zellinsky, Sheldon and L. Thomas)

Brief Title: Providing for the electronic transfer of
prescriptions.

**HB 1769-S.E - DIGEST**

(DIGEST AS ENACTED)

Provides that information concerning an original prescription
or information concerning a prescription refill for a legend drug
may be electronically communicated between an authorized
practitioner and a pharmacy of the patient's choice with no
intervening person having access to the prescription drug order
pursuant to the provisions of this chapter if the electronically
communicated prescription information complies with the following:
(1) Electronically communicated prescription information must
comply with all applicable statutes and rules regarding the form,
content, recordkeeping, and processing of a prescription for a
legend drug;
(2) the system used for transmitting electronically
communicated prescription information and the system used for
receiving electronically communicated prescription information must
be approved by the board;
(3) an explicit opportunity for practitioners must be made to
indicate their preference on whether a therapeutically equivalent
generic drug may be substituted;
(4) prescription drug orders are confidential health
information, and may be released only to the patient or the
patient's authorized representative, the prescriber or other
authorized practitioner then caring for the patient, or other
persons specifically authorized by law to receive such information;
(5) to maintain confidentiality of prescription records, the
electronic system shall have adequate security and systems
safeguards designed to prevent and detect unauthorized access,
modification, or manipulation of these records; and
(6) the pharmacist shall exercise professional judgment
regarding the accuracy, validity, and authenticity of the
prescription drug order received by way of electronic transmission,
consistent with federal and state laws and rules and guidelines of
the board.