

SENATE BILL REPORT

SB 6212

As of February 7, 2012

Title: An act relating to authorization of electronic communication of prescription information for controlled substances.

Brief Description: Authorizing electronic communication of prescription information for controlled substances.

Sponsors: Senators Keiser, Becker and Conway; by request of Department of Health.

Brief History:

Committee Activity: Health & Long-Term Care: 1/19/12.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Staff: Kathleen Buchli (786-7488)

Background: Information concerning an original prescription or information concerning a prescription refill for a controlled substance may be electronically communicated to a pharmacy if: the electronically communicated prescription conforms with state laws on form, recordkeeping, and processing of a prescription for a legend drug; the Board of Pharmacy approves the system used for transmitting electronically communicated prescription information; practitioners are provided an opportunity to indicate whether a generic drug may be substituted; the prescription is kept confidential; and the pharmacist exercises professional judgment relating to the accuracy and authenticity of the prescription. Use of electronic systems for transmission of Schedule II controlled substance prescriptions is prohibited.

Effective June 1, 2010, the Drug Enforcement Administration adopted rules allowing electronic transfer of controlled substance prescriptions from prescriber to pharmacy. The rules establish security requirements for electronic prescribing systems that transmit controlled substance prescriptions.

Summary of Bill: Information concerning an original prescription for a controlled substance included in Schedules II through V or information concerning a prescription refill for a controlled substance included in Schedules III through V may be electronically communicated to a pharmacy of the patient's choice. The system used for transmitting electronically communicated prescription information must be approved by the Board of

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Pharmacy and must meet federal requirements if used to transmit prescription information for controlled substances included in Schedules II through V.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill takes us into the electronic age. These prescriptions will be delivered in a controlled and secure environment. It updates state law, aligns the state with federal requirements, and will lead to quality patient care. Pharmacists are waiting for improvements in state law and this bill has stakeholder approval.

Persons Testifying: PRO: Mary Selecky, Department of Health.