

HOUSE No. 02356

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Electronic Prescriptions..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 02356

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2356) of Frost and others for legislation to require pharmacies to implement an electronic prescription system Joint Committee on Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2067 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act Relative to Electronic Prescriptions..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 40J of the General Laws, as appearing in the 2008 Official Edition, is
- 2 hereby amended by adding after section 6G the following section:-
- 3 "Section 6H. (a) As used in this section, the following words shall have the following meanings:
- 4 "Electronic prescription system", a computerized system that transmits medical prescriptions
- 5 between physicians and pharmacists, records patients' prescription drug history and alert
- 6 physicians to possible drug interactions between prescribed medications, and contains patient's
- 7 health insurance benefit information.

8 "Pharmacy", any retail drug business registered by the board of registration in pharmacy in
9 accordance with chapter 112 that is authorized to dispense controlled substances, including, retail
10 drug businesses as defined in section 1 of chapter 94C.

11 All pharmacies in the Commonwealth shall implement and utilize an electronic prescription
12 system by January 1, 2012. All electronic health records systems shall be approved by the
13 Massachusetts e-Health Institute, established in section 6D of this chapter and referred to as the
14 Institute, and must be compatible with the statewide interoperable electronic health records
15 network established by section 6D of this chapter. The Institute shall monitor the use of
16 electronic prescription systems, inform physicians of the availability of systems in pharmacies
17 and instruct physicians in the use of such systems. The Institute shall oversee the installation of
18 electronic prescription systems so that they are compatible with existing physician electronic
19 prescription systems.

20 Pharmacies may apply to the Institute for financial assistance. The Institute shall establish
21 guidelines for the distribution of electronic prescription system installation grants; provided,
22 however, that said guidelines shall provide: (i) eligibility criteria based upon the applicant
23 pharmacy's annual revenue and profit, with the goal of providing grants to pharmacies for whom
24 installing an electronic prescription system would impose an undue financial burden; (ii) grant
25 awards which shall not exceed \$2,000 for each eligible pharmacy; provided further that the total
26 aggregate amount of grants awarded by the Institute shall not exceed two hundred thousand
27 dollars, which must be expended before December 31, 2012. The funds for these grants shall be
28 expended from the e-Health Institute Fund."