

1 SB467
2 130205-1
3 By Senator Reed
4 RFD: Health
5 First Read: 03-MAY-11

2
3
4
5
6
7
8 SYNOPSIS: This bill would establish requirements and
9 regulations for electronically generated
10 prescriptions.

11
12 A BILL
13 TO BE ENTITLED
14 AN ACT

15
16 To provide requirements and regulations for
17 electronic prescriptions.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. A prescription, as defined in Section
20 34-23-1(21) of the Code of Alabama 1975, that is
21 electronically generated by a practitioner, transmitted, and
22 received at the pharmacy by computer systems shall contain at
23 least the following information:

- 24 (1) Name of the patient.
25 (2) Name, strength, and quantity of the drug
26 prescribed.

1 (3) Directions specified by the prescriber,
2 including "product selection permitted" and "dispense as
3 written."

4 (4) Name of the practitioner prescribing the
5 medication.

6 (5) Date of prescription and electronic signature of
7 the prescribing practitioner.

8 Section 2. Any computer software used to generate
9 electronic prescriptions shall not use any means or permit any
10 other person to use any means, including, but not limited to,
11 advertising, instant messaging, and pop-up ads, to influence
12 or attempt to influence the prescribing decision of a
13 prescribing practitioner at the point of care, except that
14 information about the availability of generic medication
15 chemically equivalent to the medication chosen by the
16 physician may be communicated. The means used shall not be
17 triggered by or in specific response to the input, selection,
18 or act of a prescribing practitioner or his or her agent in
19 prescribing a certain pharmaceutical or directing a patient to
20 a certain pharmacy.

21 Section 3. Computer software used to generate
22 electronic prescriptions may show information regarding a
23 payor's formulary, co-payment, or benefit plan, provided that
24 it is not designed to preclude or make more difficult the act
25 of a prescribing practitioner or patient selecting any
26 particular pharmacy or pharmaceutical.

1 Section 4. Nothing in this act shall interfere with
2 a patient's freedom to choose a pharmacy.

3 Section 5. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.