

1 AN ACT relating to electronic prescription records.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 218A IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) Notwithstanding provisions of KRS 218A.202 relating to persons and entities*
6 *authorized to receive data, the Cabinet for Health and Family Services shall*
7 *provide a copy of a patient's electronic prescription record if requested by:*

8 *(a) The patient;*

9 *(b) The patient's legal guardian; or*

10 *(c) The patient's parent or legal guardian, if the patient is a minor.*

11 *(2) The cabinet shall correct data in a patient's electronic prescription record upon*
12 *receiving supporting documentation of any errors, if requested by:*

13 *(a) The patient;*

14 *(b) The patient's legal guardian; or*

15 *(c) The patient's parent or legal guardian, if the patient is a minor.*

16 *(3) The cabinet shall promulgate administrative regulations in accordance with KRS*
17 *Chapter 13A to implement this section. The administrative regulations shall*
18 *include but not be limited to:*

19 *(a) A patient electronic prescription record request form and a list of the*
20 *required documentation for the request;*

21 *(b) A patient electronic prescription record correction request form and a list of*
22 *required documentation for the request; and*

23 *(c) A description of information to be included in the copy of the patient's*
24 *electronic prescription record, including a list of persons or entities who*
25 *have accessed the patient's record.*

26 *(4) The forms and information required under subsection (3) of this section shall be*
27 *made available on the cabinet's Web site.*

- 1 (5) The time period for the cabinet to respond to a request for copy of a patient's
2 electronic prescription record and for making a record correction shall not
3 exceed thirty (30) days from the day the cabinet receives a completed request.
- 4 (6) The cabinet may charge a reasonable fee for providing a copy of a patient's
5 electronic prescription record. The cabinet shall not charge a fee for making
6 corrections to a patient's electronic prescription record.