

**HOUSE . . . . . No. 2067**

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2067) of Bradley H. Jones, Jr., and others for legislation to require pharmacies to implement an electronic prescription system. Public Health.

**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:
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Viriato Manuel deMacedo	1st Plymouth
Elizabeth Poirier	14th Bristol
Paul K. Frost	7th Worcester
Susan Williams Gifford	2nd Plymouth
Bradford R. Hill	4th Essex
Jeffrey Davis Perry	5th Barnstable
Richard J. Ross	9th Norfolk
Todd M. Smola	1st Hampden
Robert S. Hargraves	1st Middlesex

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## 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 most recently amended by Chapter 305 of the  
2 Acts of 2008, is hereby amended by inserting 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 (b) All pharmacies in the Commonwealth shall implement and utilize an electronic  
12 prescription system by January 1, 2012. All electronic health records systems shall be approved  
13 by the Massachusetts e-Health Institute, established in section 6D of this chapter and referred to

14 as the Institute, and must be compatible with the statewide interoperable electronic health records  
15 network established by section 6D of this chapter, as most recently amended by Chapter 305 of  
16 the Acts of 2008. The Institute shall monitor the use of electronic prescription systems, inform  
17 physicians of the availability of systems in pharmacies and instruct physicians in the use of such  
18 systems. The Institute shall oversee the installation of electronic prescription systems so that they  
19 are compatible with existing physician electronic prescription systems.

20 (c) 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, 2011. The funds for these grants shall be  
28 expended from the e-Health Institute Fund.