

**HOUSE . . . . . No. 2356**

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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 adoption 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 T. Ross</i>	<i>2nd Bristol</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Sheila C. 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 A. Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

**HOUSE . . . . . No. 2356**

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

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

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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,  
2 is 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  
4 meanings:

5 "Electronic prescription system", a computerized system that transmits medical  
6 prescriptions between physicians and pharmacists, records patients' prescription drug history and  
7 alert physicians to possible drug interactions between prescribed medications, and contains  
8 patient's health insurance benefit information.

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

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

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