

A bill for an act

relating to health; extending the effective date for electronic prescribing requirements for certain providers; amending Minnesota Statutes 2009 Supplement, section 62J.497, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2009 Supplement, section 62J.497, subdivision 2, is amended to read:

Subd. 2. **Requirements for electronic prescribing.** (a) Effective January 1, 2011, all providers, group purchasers, prescribers, and dispensers must establish, maintain, and use an electronic prescription drug program. This program must comply with the applicable standards in this section for transmitting, directly or through an intermediary, prescriptions and prescription-related information using electronic media.

(b) If transactions described in this section are conducted, they must be done electronically using the standards described in this section. Nothing in this section requires providers, group purchasers, prescribers, or dispensers to electronically conduct transactions that are expressly prohibited by other sections or federal law.

(c) Providers, group purchasers, prescribers, and dispensers must use either HL7 messages or the NCPDP SCRIPT Standard to transmit prescriptions or prescription-related information internally when the sender and the recipient are part of the same legal entity. If an entity sends prescriptions outside the entity, it must use the NCPDP SCRIPT Standard or other applicable standards required by this section. Any pharmacy within an entity must be able to receive electronic prescription transmittals from outside the entity using the adopted NCPDP SCRIPT Standard. This exemption does not supersede any Health

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2.1 Insurance Portability and Accountability Act (HIPAA) requirement that may require the
2.2 use of a HIPAA transaction standard within an organization.

2.3 (d) Notwithstanding paragraph (a), effective January 1, 2016, providers and
2.4 prescribers who practice at a clinic where two or fewer physicians practice must establish,
2.5 maintain, and use an electronic prescription drug program that complies with the
2.6 applicable standards in this section.