STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2189 By: Schwartz

COMMITTEE SUBSTITUTE

An Act relating to professions and occupations; prescribing requirements for electronic transmission of prescriptions; requiring the promulgation of rules; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 353.13B of Title 59, unless there is created a duplication in numbering, reads as follows:

A. Electronic transmission of prescriptions shall:

1. Provide information to allow for the physician to review:

a. the current medication list of the patient,

b. the medication history information of the patient,

c. all outpatient medications the physician is legally permitted to prescribe, and

d. all pharmacies, both in network and out of network, available to the patient for dispensing;

2. Provide the physician with the ability to electronically request approval criteria for prior authorizations and step therapy protocols;

3. Provide the physician with the ability to electronically receive approvals for prior authorizations and step therapy protocols within forty-eight (48) hours from the time the prescription is received; and

4. Minimize interference between physician and patient through a neutral prescribing platform, free from any means including, but not limited to, advertising, instant messaging, and pop-up messaging, to influence or attempt to influence, through economic incentives or otherwise, the prescribing decision of the physician at the point of care, except that information about the availability of any generic medication chemically equivalent to the medication chosen by the physician may be communicated.

B. The State Board of Pharmacy shall promulgate rules regarding the electronic prior authorization process.

SECTION 2. This act shall become effective November 1, 2013.

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