

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2189

By: Schwartz

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8 COMMITTEE SUBSTITUTE

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

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

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

- 18 A. Electronic transmission of prescriptions shall:
- 19 1. Provide information to allow for the physician to review:
- 20 a. the current medication list of the patient,
- 21 b. the medication history information of the patient,
- 22 c. all outpatient medications the physician is legally
23 permitted to prescribe, and

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

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

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

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

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND FINANCIAL
23 SERVICES, dated 02/28/2013 - DO PASS, As Amended.