

ASSEMBLY, No. 2378

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

SYNOPSIS

Requires pharmacies to effectuate drug discontinuation orders.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning prescriptions and amending P.L.2003, c.280.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
4 *of New Jersey:*

5

6 1. Section 19 of P.L.2003, c.280 (C.45:14-58) is amended to
7 read as follows:

8 19. a. Nothing contained in this act shall preclude a practitioner
9 from transmitting to a pharmacist by telephone or electronic means
10 a prescription, as otherwise authorized by law, if that practitioner
11 provides the practitioner's Drug Enforcement Administration
12 registration number and the practitioner's license number, or any
13 other federally identified number, as appropriate, to the pharmacist
14 at the time the practitioner transmits the prescription.

15 b. Except as may be otherwise permitted by law, no
16 prescription for any Schedule II controlled dangerous substance
17 shall be given or transmitted to pharmacists, in any other manner,
18 than in writing signed by the practitioner giving or transmitting the
19 same, nor shall such prescription be renewed or refilled. The
20 requirement in this subsection that a prescription for any controlled
21 dangerous substance be given or transmitted to pharmacists in
22 writing signed by the practitioner shall not apply to a prescription
23 for a Schedule II drug if that prescription is transmitted or prepared
24 in compliance with federal and State regulations.

25 c. (1) Each vendor that sells, leases, or licenses for use an
26 electronic health records system that is used to electronically
27 transmit prescriptions in this State on the effective date of P.L.2017,
28 c.338 shall ensure that the system meets all federal requirements for
29 the system to accept, process, and transmit prescriptions for
30 Schedule II controlled dangerous substances no later than one year
31 after the effective date of P.L.2017, c.338 as a condition of
32 continuing to sell, lease, or license for use the electronic health
33 records system in this State. Each vendor that commences selling,
34 leasing, or licensing for use an electronic health records system that
35 is used to electronically transmit prescriptions in this State after the
36 effective date of P.L.2017, c.338 shall ensure that the system meets
37 all federal requirements for the system to accept, process, and
38 transmit prescriptions for Schedule II controlled dangerous
39 substances as a condition of selling, leasing, or licensing for use the
40 electronic health records system in this State.

41 (2) The requirements of paragraph (1) of this subsection shall
42 not apply to a telemedicine or telehealth organization, as that term
43 is defined in section 1 of P.L.2017, c.117 (C.45:1-61), that
44 exclusively provides telehealth and telemedicine services. **[(cf:**
45 **P.L.2003, c.280, s.19)]**

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 d. A pharmacy practice site shall remove from its electronic
2 records system any prescription listed on the patient's health
3 records upon the request of the patient's practitioner, as determined
4 by the board.

5 (cf: P.L.2017, c.338)

6
7 2. This act shall take effect 240 days after the date of
8 enactment.

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11 STATEMENT

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13 This bill requires pharmacies to effectuate drug discontinuation
14 orders. Under the bill, a pharmacy is to remove from its electronic
15 records system any prescription listed on the patient's health
16 records upon the request of the patient's health care practitioner, as
17 determined by the State Board of Pharmacy (board), which permits
18 the board to make, adopt, amend, and repeal rules and regulations
19 necessary for the proper administration and enforcement of this bill.