

SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO **SENATE, No. 390**

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2020

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with committee amendments Senate Bill No. 390.

As amended by the committee, this bill requires that every prescription for a controlled dangerous substance, prescription legend drug, or other prescription item be transmitted electronically using an electronic health records system. This requirement will take effect one year after the date of enactment.

The electronic prescription requirement will not apply to: a veterinarian; a practitioner administering a prescription drug or item directly to a patient; a practitioner prescribing a drug or item to be dispensed by an institutional pharmacy or to a patient in hospice care; a situation in which the electronic prescribing system is not operational or is temporarily inaccessible; a situation in which the patient requests the prescription be transmitted to a pharmacy that is unable to receive and process electronic prescriptions; or a practitioner who has been granted a waiver due to technological limitations or other exceptional circumstances. A prescription that is subject to an exception would be issued on a New Jersey Prescription Blank or in such other manner as may be authorized by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety.

The bill revises various provisions of the statutory law to reflect the mandatory electronic prescribing requirement.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amendments remove a section from the bill that, because of a subsequent enactment, no longer needs to be amended in response to the changes being made under the bill.

Similarly, the committee amendments remove a provision repealing section 19 of P.L.2003, c.280 (C.45:14-58), which was also

amended after the bill was first introduced, and instead amends that section of law to reflect the changes being made under the bill.

The committee amendments add in an additional section of current law, concerning advanced practice nurses, to revise the section to reflect the changes being made by the bill.

The committee amendments update the title of the bill to reflect these changes.