

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 2.2-213.3 and to amend Chapter*  
3 *635 of the Acts of Assembly of 2007 by adding a section numbered 2, relating to electronic*  
4 *prescribing.*

5 [H 2453]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That the Code of Virginia is amended by adding a section numbered 2.2-213.3 as follows:**9 *§ 2.2-213.3. Secretary to coordinate electronic prescribing clearinghouse.*

10 *A. In order to promote the implementation of electronic prescribing by health practitioners, health*  
11 *care facilities, and pharmacies in order to prevent prescription drug abuse, improve patient safety, and*  
12 *reduce unnecessary prescriptions, the Secretary of Health and Human Resources, in consultation with*  
13 *the Secretary of Technology, shall establish a website with information on electronic prescribing for*  
14 *health practitioners. The website shall contain (i) information concerning the process and advantages of*  
15 *electronic prescribing, including using medical history data to prevent drug interactions, prevent allergic*  
16 *reactions, and deter abuse of controlled substances; (ii) information regarding the availability of*  
17 *electronic prescribing products, including no-cost or low-cost products; (iii) links to federal and*  
18 *private-sector websites that provide guidance on selecting electronic prescribing products; and (iv) links*  
19 *to state, federal, and private-sector incentive programs for the implementation of electronic prescribing.*

20 *B. The Secretary of Health and Human Resources, in consultation with the Secretary of Technology,*  
21 *shall regularly consult with relevant public and private stakeholders to assess and accelerate the*  
22 *implementation of electronic prescribing in Virginia. For purposes of this section, relevant stakeholders*  
23 *include, but are not limited to, organizations that represent health practitioners, organizations that*  
24 *represent health care facilities, organizations that represent pharmacies, organizations that operate*  
25 *electronic prescribing networks, organizations that create electronic prescribing products, and regional*  
26 *health information organizations.*

27 **2. That Chapter 635 of the Acts of Assembly of 2007 is amended by adding a section numbered 2**  
28 **as follows:**

29 *§ 2. Beginning January 1, 2010, any health care provider who is authorized to prescribe controlled*  
30 *substances pursuant to Chapter 33 (§ 54.1-3303 et seq.) of Title 54.1 of the Code of Virginia and who*  
31 *contracts with the Commonwealth for the provision of health care-related services shall utilize electronic*  
32 *prescribing to the maximum extent practicable in providing such services to the Commonwealth. For*  
33 *purposes of this section, electronic prescribing shall mean, at a minimum, the electronic generation of*  
34 *the patient's prescription, and the electronic transmission of the patient's prescription to the pharmacy.*  
35 *However, no health care provider shall be prohibited from contracting with the Commonwealth for not*  
36 *utilizing electronic prescribing.*

37 **3. That the Department of Medical Assistance Services shall develop a plan for programs and**  
38 **incentives to encourage Medicaid providers in the Commonwealth to adopt and utilize electronic**  
39 **prescribing. Such programs and incentives shall consider the advantages of electronic prescribing**  
40 **in improved patient safety, as well as the efficiencies and cost savings that may be recognized by**  
41 **the Commonwealth in encouraging the adoption of electronic prescribing. The Department shall**  
42 **report to the Governor and the General Assembly no later than December 1, 2009, as to**  
43 **recommendations concerning programs and incentives. The Department is also encouraged to**  
44 **pursue opportunities with the private sector in implementing electronic prescribing programs.**

ENROLLED

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