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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 2091

03/06/2017 Authored by Peterson
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; modifying requirements for emergency prescriptions; amending
1.3 Minnesota Statutes 2016, section 151.15, by adding subdivisions.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 151.15, is amended by adding a subdivision
1.6 to read:

1.7 Subd. 5. Receipt of emergency prescription orders. A pharmacist, when that pharmacist
1.8 is not present within a licensed pharmacy, may accept a written, verbal, or electronic
1.9 prescription drug order from a practitioner only if:

1.10 (1) the prescription drug order is for an emergency situation where waiting for the
1.11 licensed pharmacy from which the prescription will be dispensed to open would likely cause
1.12 the patient to experience significant physical harm or discomfort;

1.13 (2) the pharmacy from which the prescription drug order will be dispensed is closed for
1.14 business;

1.15 (3) the pharmacist has been designated to be on call for the licensed pharmacy that will
1.16 fill the prescription drug order;

1.17 (4) electronic prescription drug orders are received through secure and encrypted
1.18 electronic means;

1.19 (5) the pharmacist takes reasonable precautions to ensure that the prescription drug order
1.20 will be handled in a manner consistent with federal and state statutes regarding the handling
1.21 of protected health information; and

2.1 (6) the pharmacy from which the prescription drug order will be dispensed has relevant
2.2 and appropriate policies and procedures in place and makes them available to the board
2.3 upon request.

2.4 Sec. 2. Minnesota Statutes 2016, section 151.15, is amended by adding a subdivision to
2.5 read:

2.6 Subd. 6. **Processing of emergency prescription orders.** A pharmacist, when that
2.7 pharmacist is not present within a licensed pharmacy, may access a pharmacy prescription
2.8 processing system through secure and encrypted electronic means in order to process an
2.9 emergency prescription accepted pursuant to subdivision 5 only if:

2.10 (1) the pharmacy from which the prescription drug order will be dispensed is closed for
2.11 business;

2.12 (2) the pharmacist has been designated to be on call for the licensed pharmacy that will
2.13 fill the prescription drug order;

2.14 (3) the prescription drug order is for a patient of a long-term care facility or a county
2.15 correctional facility;

2.16 (4) the prescription drug order is processed pursuant to this chapter and rules adopted
2.17 under this chapter; and

2.18 (5) the pharmacy from which the prescription drug order will be dispensed has relevant
2.19 and appropriate policies and procedures in place and makes them available to the board
2.20 upon request.