

House Research Act Summary

CHAPTER: 246

SESSION: 2012 Regular Session

TOPIC: Prescription requirements for controlled substances

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Overview

This act allows prescriptions for controlled substances to be transmitted electronically if the prescription complies with Minnesota law and federal regulations on electronic prescriptions. The act also allows prescriptions for controlled substances to be transmitted by facsimile if the prescription complies with federal regulations on electronic prescriptions. The act also allows electronic or facsimile prescriptions to be stored in an electronic database if they can be retrieved for a period not less than two years.

1 **Prescriptions.** Amends § 152.11

Subd. 1. General prescription requirements for controlled substances. A new paragraph (a) reinstates language setting criteria for written and oral controlled substance prescriptions that is stricken in subd. 1a. The reinstated language requires that the signature of the prescriber be handwritten.

A new paragraph (b) provides that an electronic prescription for a controlled substance in schedule II, III, IV, or V is void unless it complies with § 62J.497 (Minnesota law on electronic prescribing) and with federal regulations related to electronic prescriptions.

A new paragraph (c) provides that a prescription for a controlled substance in schedule II, III, IV, or V that is transmitted by facsimile is void unless it complies with applicable federal regulations related to electronic prescriptions.

A new paragraph (d) allows an original electronic or facsimile prescription to be stored in an electronic database provided that the prescriptions can be retrieved for a period of not less than two years. Also reinstates language stricken in the new subd. 1a.

A new paragraph (e) reinstates language stricken in the new subd. 1a.

Subd. 1a. Prescription requirements for Schedule II controlled substances. Requires prescriptions for controlled substances to be either printed or written in ink and contain the

handwritten signature of the prescriber or be transmitted electronically or by facsimile. Also makes conforming changes and strikes language that is reinstated in subdivision 1.

The remaining amendments to subdivisions of this section make conforming changes or strike obsolete language.