

45:14-57

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2009 **CHAPTER:** 297

NJSA: 45:14-57 (Permits prescriber to use electronic health record program to print New Jersey Prescription Blanks for transmission to pharmacist)

BILL NO: A4229 (Substituted for S3050)

SPONSOR(S) Conaway and Others

DATE INTRODUCED: November 23, 2009

COMMITTEE: **ASSEMBLY:** Health and Senior Services

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 11, 2010

SENATE: January 11, 2010

DATE OF APPROVAL: January 17, 2010

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (First reprint enacted)

A4229

SPONSOR'S STATEMENT: (Begins on page 7 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S3050

SPONSOR'S STATEMENT: (Begins on page 3 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

[First Reprint]

ASSEMBLY, No. 4229

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED NOVEMBER 23, 2009

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington and Camden)

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblywoman ELEASE EVANS

District 35 (Bergen and Passaic)

Co-Sponsored by:

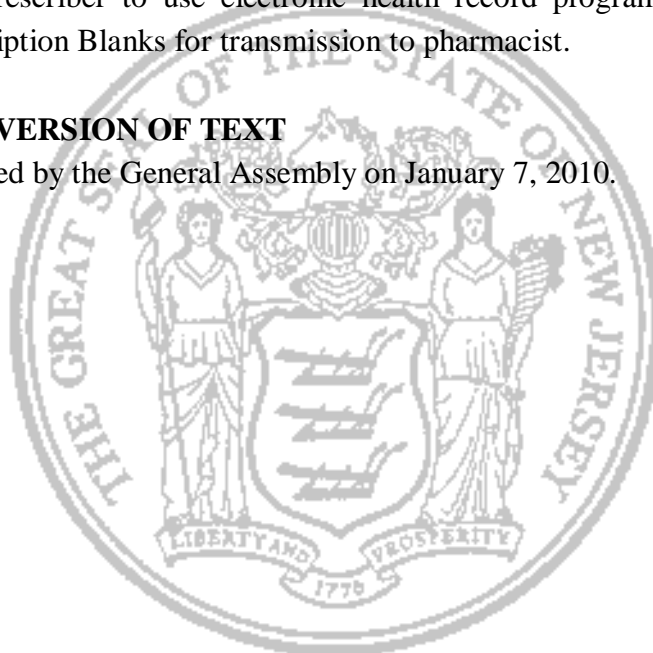
Assemblymen Connors, Chivukula, Senators Rice and Whelan

SYNOPSIS

Permits prescriber to use electronic health record program to print New Jersey Prescription Blanks for transmission to pharmacist.

CURRENT VERSION OF TEXT

As amended by the General Assembly on January 7, 2010.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning the use of New Jersey Prescription Blanks and
2 amending P.L.2003, c.280.

3

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

6

7 1. Section 18 of P.L.2003, c.280 (C.45:14-57) is amended to
8 read as follows:

9 18. a. A prescription issued by a practitioner or health care
10 facility licensed in New Jersey shall not be filled by a pharmacist
11 unless the prescription is issued on a New Jersey Prescription Blank
12 bearing the practitioner's license number or the unique provider
13 number assigned to a health care facility.

14 b. Notwithstanding the provisions of subsection a. of this
15 section to the contrary, a practitioner or health care facility licensed
16 in New Jersey may utilize an electronic health record program to
17 imprint the practitioner's name and license number or the unique
18 provider number assigned to a health care facility on a blank New
19 Jersey Prescription Blank for transmission to a pharmacist, provided
20 that:

21 (1) ¹any other requirements under section 20 of P.L.2003, c.280
22 (C.45:14-59) and any regulations adopted by the Director of the
23 Division of Consumer Affairs in the Department of Law and Public
24 Safety concerning New Jersey Prescription Blanks are met; and

25 (2) ¹the electronic health record program will imprint on the
26 blank form all such identifying information about the prescriber as
27 is required by regulation of the Director of the Division of
28 Consumer Affairs ¹[in the Department of Law and Public Safety;
29 and

30 (2) the blank form:

31 (a) is obtained from a vendor approved by the Division of
32 Consumer Affairs;

33 (b) bears an identifiable logo or symbol approved by the
34 division; and

35 (c) bears a preprinted serial number as specified by the
36 division] ¹.

37 (cf: P.L.2003, c.280, s.18)

38

39 2. The Director of the Division of Consumer Affairs in the
40 Department of Law and Public Safety, pursuant to the
41 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
42 seq.), shall adopt rules and regulations to effectuate the purposes of
43 this act.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted January 7, 2010.

A4229 [1R] CONAWAY, QUIGLEY

3

1 3. This act shall take effect on the 180th day after enactment,
2 but the Director of the Division of Consumer Affairs may take such
3 anticipatory administrative action in advance as shall be necessary
4 for the implementation of this act.

ASSEMBLY, No. 4229

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED NOVEMBER 23, 2009

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington and Camden)

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblywoman ELEASE EVANS

District 35 (Bergen and Passaic)

Co-Sponsored by:

Assemblyman Connors

SYNOPSIS

Permits prescriber to use electronic health record program to print New Jersey Prescription Blanks for transmission to pharmacist.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/8/2009)

1 AN ACT concerning the use of New Jersey Prescription Blanks and
2 amending P.L.2003, c.280.

3

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

6

7 1. Section 18 of P.L.2003, c.280 (C.45:14-57) is amended to
8 read as follows:

9 18. a. A prescription issued by a practitioner or health care
10 facility licensed in New Jersey shall not be filled by a pharmacist
11 unless the prescription is issued on a New Jersey Prescription Blank
12 bearing the practitioner's license number or the unique provider
13 number assigned to a health care facility.

14 b. Notwithstanding the provisions of subsection a. of this section
15 to the contrary, a practitioner or health care facility licensed in New
16 Jersey may utilize an electronic health record program to imprint
17 the practitioner's name and license number or the unique provider
18 number assigned to a health care facility on a blank New Jersey
19 Prescription Blank for transmission to a pharmacist, provided that:

20 (1) the electronic health record program will imprint on the
21 blank form all such identifying information about the prescriber as
22 is required by regulation of the Director of the Division of
23 Consumer Affairs in the Department of Law and Public Safety; and

24 (2) the blank form:

25 (a) is obtained from a vendor approved by the Division of
26 Consumer Affairs;

27 (b) bears an identifiable logo or symbol approved by the
28 division; and

29 (c) bears a preprinted serial number as specified by the division.

30 (cf: P.L.2003, c.280, s.18)

31

32 2. The Director of the Division of Consumer Affairs in the
33 Department of Law and Public Safety, pursuant to the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.), shall adopt rules and regulations to effectuate the purposes of
36 this act.

37

38 3. This act shall take effect on the 180th day after enactment,
39 but the Director of the Division of Consumer Affairs may take such
40 anticipatory administrative action in advance as shall be necessary
41 for the implementation of this act.

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.

STATEMENT

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This bill authorizes the use by prescribers of electronic health record (EHR) programs to print New Jersey Prescription Blanks for transmission to a pharmacist.

Specifically, the bill provides that a practitioner or health care facility licensed in New Jersey may utilize an EHR program to imprint the practitioner's name and license number or the unique provider number assigned to a health care facility on a blank New Jersey Prescription Blank for transmission to a pharmacist, provided that:

- the EHR program will imprint on the blank form all such identifying information about the prescriber as is required by regulation of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety; and
- the blank form:
 - is obtained from a vendor approved by the Division of Consumer Affairs;
 - bears an identifiable logo or symbol approved by the division; and
 - bears a preprinted serial number as specified by the division.

The bill takes effect on the 180th day after enactment, but authorizes the Director of the Division of Consumer Affairs to take anticipatory administrative action in advance as necessary for its implementation.

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4229

STATE OF NEW JERSEY

DATED: NOVEMBER 23, 2009

The Assembly Health and Senior Services Committee reports favorably Assembly Bill No. 4229.

This bill authorizes the use by prescribers of electronic health record (EHR) programs to print New Jersey Prescription Blanks for transmission to a pharmacist.

Specifically, the bill provides that a practitioner or health care facility licensed in New Jersey may utilize an EHR program to imprint on a blank New Jersey Prescription Blank the practitioner's name and license number or the unique provider number assigned to a health care facility for transmission to a pharmacist, provided that:

- the EHR program will imprint on the blank form all such identifying information about the prescriber as is required by regulation of the Director of the Division of Consumer Affairs in the Department of Law and Public Safety; and

- the blank form:

- is obtained from a vendor approved by the Division of Consumer Affairs;

- bears an identifiable logo or symbol approved by the division; and

- bears a preprinted serial number as specified by the division.

The bill takes effect on the 180th day after enactment, but authorizes the Director of the Division of Consumer Affairs to take anticipatory administrative action in advance as necessary for its implementation.

STATEMENT TO
ASSEMBLY, No. 4229

with Assembly Floor Amendments
(Proposed by Assemblyman CONAWAY)

ADOPTED: JANUARY 7, 2010

These amendments stipulate that a practitioner or health care facility licensed in New Jersey may utilize an electronic health record (EHR) program to imprint on a blank New Jersey Prescription Blank the practitioner's name and license number or the unique provider number assigned to a health care facility for transmission to a pharmacist, provided that:

- any other requirements under section 20 of P.L.2003, c.280 (C.45:14-59) and any regulations adopted by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety concerning New Jersey Prescription Blanks are met; and
- the EHR program will imprint on the blank form all such identifying information about the prescriber as is required by regulation of the Director of the Division of Consumer Affairs.

SENATE, No. 3050

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED NOVEMBER 23, 2009

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

Senator JIM WHELAN

District 2 (Atlantic)

SYNOPSIS

Permits prescriber to use electronic health record program to print New Jersey Prescription Blanks for transmission to pharmacist.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the use of New Jersey Prescription Blanks and
2 amending P.L.2003, c.280.

3

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

6

7 1. Section 18 of P.L.2003, c.280 (C.45:14-57) is amended to
8 read as follows:

9 18. a. A prescription issued by a practitioner or health care
10 facility licensed in New Jersey shall not be filled by a pharmacist
11 unless the prescription is issued on a New Jersey Prescription Blank
12 bearing the practitioner's license number or the unique provider
13 number assigned to a health care facility.

14 b. Notwithstanding the provisions of subsection a. of this
15 section to the contrary, a practitioner or health care facility licensed
16 in New Jersey may utilize an electronic health record program to
17 imprint the practitioner's name and license number or the unique
18 provider number assigned to a health care facility on a blank New
19 Jersey Prescription Blank for transmission to a pharmacist, provided
20 that:

21 (1) the electronic health record program will imprint on the
22 blank form all such identifying information about the prescriber as
23 is required by regulation of the Director of the Division of
24 Consumer Affairs in the Department of Law and Public Safety; and

25 (2) the blank form:

26 (a) is obtained from a vendor approved by the Division of
27 Consumer Affairs;

28 (b) bears an identifiable logo or symbol approved by the
29 division; and

30 (c) bears a preprinted serial number as specified by the division.

31 (cf: P.L.2003, c.280, s.18)

32

33 2. The Director of the Division of Consumer Affairs in the
34 Department of Law and Public Safety, pursuant to the
35 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
36 seq.), shall adopt rules and regulations to effectuate the purposes of
37 this act.

38

39 3. This act shall take effect on the 180th day after enactment,
40 but the Director of the Division of Consumer Affairs may take such
41 anticipatory administrative action in advance as shall be necessary
42 for the implementation of this act.

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 STATEMENT

2

3 This bill authorizes the use by prescribers of electronic health
4 record (EHR) programs to print New Jersey Prescription Blanks for
5 transmission to a pharmacist.

6 Specifically, the bill provides that a practitioner or health care
7 facility licensed in New Jersey may utilize an EHR program to
8 imprint the practitioner's name and license number or the unique
9 provider number assigned to a health care facility on a blank New
10 Jersey Prescription Blank for transmission to a pharmacist, provided
11 that:

12 • the EHR program will imprint on the blank form all such
13 identifying information about the prescriber as is required by
14 regulation of the Director of the Division of Consumer Affairs
15 in the Department of Law and Public Safety; and

16 • the blank form:

17 -- is obtained from a vendor approved by the Division of
18 Consumer Affairs;

19 -- bears an identifiable logo or symbol approved by the
20 division; and

21 -- bears a preprinted serial number as specified by the
22 division.

23 The bill takes effect on the 180th day after enactment, but
24 authorizes the Director of the Division of Consumer Affairs to take
25 anticipatory administrative action in advance as necessary for its
26 implementation.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE No. 3050

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2009

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 3050.

This bill authorizes the use by prescribers of electronic health record (EHR) programs to print New Jersey Prescription Blanks for transmission to a pharmacist.

Specifically, the bill provides that a practitioner or health care facility licensed in New Jersey may utilize an EHR program to imprint the practitioner's name and license number or the unique provider number assigned to a health care facility on a blank New Jersey Prescription Blank for transmission to a pharmacist, provided that:

- the EHR program will imprint on the blank form all such identifying information about the prescriber as is required by regulation of the Director of the Division of Consumer Affairs (DCA) in the Department of Law and Public Safety; and
- the blank form is obtained from a vendor approved by DCA, bears an identifiable logo or symbol approved by DCA, and bears a preprinted serial number as specified by DCA.

The bill takes effect on the 180th day after enactment, but authorizes the Director of DCA to take anticipatory administrative action in advance as necessary for its implementation.

This bill is identical to Assembly Bill No. 4229 (Conaway/Quigley), which is pending the Assembly.

STATEMENT TO
SENATE, No. 3050

with Senate Floor Amendments
(Proposed by Senator RICE)

ADOPTED: DECEMBER 10, 2009

These amendments stipulate that a practitioner or health care facility licensed in New Jersey may utilize an electronic health record (EHR) program to imprint on a blank New Jersey Prescription Blank the practitioner's name and license number or the unique provider number assigned to a health care facility for transmission to a pharmacist, provided that:

- any other requirements under section 20 of P.L.2003, c.280 (C.45:14-59) and any regulations adopted by the Director of the Division of Consumer Affairs in the Department of Law and Public Safety concerning New Jersey Prescription Blanks are met; and
- the EHR program will imprint on the blank form all such identifying information about the prescriber as is required by regulation of the Director of the Division of Consumer Affairs.