

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011

A Bill

SENATE BILL 943

4
5 By: Senator Bledsoe

For An Act To Be Entitled

8 AN ACT TO CREATE A STUDY OF ELECTRONIC PRESCRIBING;
9 AND FOR OTHER PURPOSES.

Subtitle

12 AN ACT TO CREATE A STUDY OF ELECTRONIC
13 PRESCRIBING.

14
15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18
19 SECTION 1. DO NOT CODIFY. Findings.

20 The General Assembly finds that:

21 (1) The Health Information Technology for Economic and Clinical
22 Health (HITECH) Act, enacted as part of the American Recovery and
23 Reinvestment Act of 2009 (ARRA), provides federal incentives for Medicare and
24 Medicaid providers and hospitals to implement, adopt, and upgrade health
25 information technology including electronic prescribing and electronic health
26 record systems;

27 (2) States are responsible for administering the incentive
28 payments and have already begun embarking on their own health information
29 technology initiatives; and

30 (3) The United States Department of Health and Human Services
31 recently released guidance encouraging states to pursue the implementation of
32 health information technology as a key to driving down health care costs.

33
34 SECTION 2. DO NOT CODIFY. Interim study – Electronic prescribing.

35 (a)(1) Within thirty (30) days of the effective date of this act, the
36 chair of the Senate Committee on Public Health, Welfare, and Labor shall



1 create a Senate Electronic Prescribing Subcommittee and the chair of the
2 House committee on Public Health, Welfare, and Labor shall create the House
3 Electronic Prescribing Subcommittee.

4 (2) The chair of the Senate Committee on Public Health, Welfare,
5 and Labor shall appoint a chair of the Senate Electronic Prescribing
6 Subcommittee and the chair of the House Committee on Public Health, Welfare,
7 and Labor shall appoint a chair of the the House Electronic Prescribing
8 Subcommittee.

9 (3) The Senate Electronic Prescribing Subcommittee and the House
10 Electronic Prescribing Subcommittee shall meet jointly during the biennium
11 between the 2011 regular legislative session and the 2013 regular legislative
12 session.

13 (b) The Senate Electronic Prescribing Subcommittee and the House
14 Electronic Prescribing Subcommittee shall study the following aspects of
15 optimizing electronic prescribing systems:

16 (1) Best develop a neutral platform for the electronic
17 transmission of health data including without limitation:

18 (A) Medication history;

19 (B) Formulary status; and

20 (C) Other patient information health professionals
21 typically access when prescribing medication and other interventions;

22 (2) Ensure that prescribing decisions of practitioners at the
23 point of care are focused on patient safety and quality outcomes and attempts
24 to influence those decisions, through economic incentives or otherwise, are
25 kept to a minimum;

26 (3) Ensure that messages in electronic prescribing systems are
27 substantially supported by scientific evidence, accurate, up-to-date, and
28 fact-based, including a fair and balanced presentation of risks and benefits,
29 and support for better clinical decision-making, such as alerts to adverse
30 events and access to formulary information; and

31 (4) Establish a process to provide electronic prior
32 authorization request and approval transactions between providers and group
33 purchasers.

34 (c) The Senate Electronic Prescribing Subcommittee and the House
35 Electronic Prescribing Subcommittee shall develop and recommend policies
36 that:

- 1 (1) Seek to limit marketing in electronic health record systems;
- 2 (2) Seek to encourage the provision of evidence-based
- 3 information at the point of care; and
- 4 (3)(A) Standardize prior authorization to maximize
- 5 administrative simplification and efficiency.
- 6 (B) The Senate Electronic Prescribing Subcommittee and the
- 7 House Electronic Prescribing Subcommittee shall recommend a universal prior
- 8 authorization form to be made available for electronic use.

9

10 SECTION 3. DO NOT CODIFY. Report.

11 On or before October 1, 2012, the Senate Electronic Prescribing

12 Subcommittee and the House Electronic Prescribing Subcommittee shall report

13 their findings and any recommendations for proposed legislation to the chair

14 of the Senate Committee on Public Health, Welfare, and Labor and the chair of

15 the House committee on Public Health, Welfare, and Labor.

16

17 SECTION 4. DO NOT CODIFY. The Senate Electronic Prescribing

18 Subcommittee and the House Electronic Prescribing Subcommittee expire on

19 December 31, 2012.

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36