

HOUSE RESEARCH

Bill Summary

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Overview

Current law states that a prescription based on an online questionnaire is not valid, unless it was based on a documented patient evaluation. This bill modifies that requirement by stating that prescriptions for certain drugs are not valid unless they are based on a documented patient evaluation, including an examination. This bill sets out requirements for what constitutes an examination for purposes of this section. Additionally, this bill prohibits pharmacists from filling prescriptions that they know, or reasonably expect, are invalid. Finally, this bill permits persons designated by a patient to handle that patient's prescription drugs for purposes of helping the patient to obtain or administer the drugs.

Section

1 Practitioner. Amends § 151.01, subd. 23. Updates a cross-reference in the definition of "practitioner."

2 Prescribing and filing. Amends § 151.37, subd. 2.

(a) No change from current statute.

(b) No change from current statute.

(c) Modifies requirements for valid prescriptions by applying the requirements to certain drugs listed in this paragraph, and stating that prescriptions for these drugs are not valid unless the prescription is based on a documented patient evaluation, including an

Section

examination.

(d) Sets out the circumstances in which an examination of a patient meets the examination requirement for purposes of a valid prescription under paragraph (c).

(e) States that nothing in paragraphs (c) or (d) prohibits a practitioner from prescribing drugs using a guideline or protocol permitted in paragraph (a). Paragraph (a) is unchanged by this bill.

(f) States that nothing in this chapter prohibits a practitioner from issuing or dispensing a drug in accordance with certain guidelines from the CDC.

(g) States that nothing in this chapter limits prescribing, administering, or dispensing drugs for public health purposes related to pandemic illness, infectious disease outbreak, or release of a biological, chemical, or radiological agent.

(h) Prohibits pharmacists in the state from dispensing legend drugs based on a prescription that the pharmacist knows, or reasonably expects, is not valid under paragraph (c).

(i) Prohibits pharmacists working at a pharmacy registered as a nonresident special pharmacy from dispensing legend drugs to Minnesota residents based on a prescription that the pharmacist knows, or reasonably expects, is not valid under paragraph (c).

3 Exclusion for prescriptions. Amends § 151.37, subd. 7. States that nothing in this chapter prohibits a patient, for whom a prescription is written, from designating someone to assist in obtaining and administering the drug.