

CHAPTER 338

AN ACT concerning electronic prescribing requirements and amending P.L.2003, c.280.

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

1. Section 19 of P.L.2003, c.280 (C.45:14-58) is amended to read as follows:

C.45:14-58 Transmission of prescription by telephone, electronic means; requirements.

19. a. Nothing contained in this act shall preclude a practitioner from transmitting to a pharmacist by telephone or electronic means a prescription, as otherwise authorized by law, if that practitioner provides the practitioner's Drug Enforcement Administration registration number and the practitioner's license number, or any other federally identified number, as appropriate, to the pharmacist at the time the practitioner transmits the prescription.

b. Except as may be otherwise permitted by law, no prescription for any Schedule II controlled dangerous substance shall be given or transmitted to pharmacists, in any other manner, than in writing signed by the practitioner giving or transmitting the same, nor shall such prescription be renewed or refilled. The requirement in this subsection that a prescription for any controlled dangerous substance be given or transmitted to pharmacists in writing signed by the practitioner shall not apply to a prescription for a Schedule II drug if that prescription is transmitted or prepared in compliance with federal and State regulations.

c. (1) Each vendor that sells, leases, or licenses for use an electronic health records system that is used to electronically transmit prescriptions in this State on the effective date of P.L.2017, c.338 shall ensure that the system meets all federal requirements for the system to accept, process, and transmit prescriptions for Schedule II controlled dangerous substances no later than one year after the effective date of P.L.2017, c.338 as a condition of continuing to sell, lease, or license for use the electronic health records system in this State. Each vendor that commences selling, leasing, or licensing for use an electronic health records system that is used to electronically transmit prescriptions in this State after the effective date of P.L.2017, c.338 shall ensure that the system meets all federal requirements for the system to accept, process, and transmit prescriptions for Schedule II controlled dangerous substances as a condition of selling, leasing, or licensing for use the electronic health records system in this State.

(2) The requirements of paragraph (1) of this subsection shall not apply to a telemedicine or telehealth organization, as that term is defined in section 1 of P.L.2017, c.117 (C.45:1-61), that exclusively provides telehealth and telemedicine services.(cf: P.L.2003, c.280, s.19)

2. This act shall take effect the first day of the fourth month next following the date of enactment.

Approved January 16, 2018.