Regular Session, 2011 **ENROLLED**

SENATE RESOLUTION NO. 81

BY SENATOR MILLS

A RESOLUTION

To create the Legislative Workgroup on Electronic Prescribing to study and make recommendations concerning electronic prescribing.

WHEREAS, Louisiana is working to adopt electronic medical records systems; and

WHEREAS, a survey of physicians recently conducted by the American Medical Association found significant concerns among physicians about health insurer prior authorization requirements for both procedures and prescription medications, as well as the timely adjudication of such matters; and

WHEREAS, prior authorization programs have the potential to delay or limit access to needed treatments; and

WHEREAS, emerging electronic medical record systems may increasingly offer physicians the convenience of knowing whether a medication is covered by a health plan, and whether there are utilization management limitations associated with a medication, but health plans continue to require the submission of a prior authorization request via a paper system; and

WHEREAS, physicians often do not know the criteria for approval by a health plan of a requested treatment; and

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

WHEREAS, states are responsible for administering the incentive payments, and have already begun embarking on their own health IT initiatives; and

WHEREAS, the United States Department of Health and Human Services recently released guidance encouraging states to pursue the implementation of health information technology as a key to driving down health care costs; and

WHEREAS, the goals of electronic prescribing and health information technology systems are to strengthen the physician patient relationship, improve patient care by allowing physicians to coordinate care across all specialties/fields, facilitate improved quality management of chronic disease thereby reducing health system costs, and allow physicians to monitor medication adherence.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby establish and create the Legislative Workgroup on Electronic Prescribing to study and make recommendations to the legislature concerning electronic prescribing which at a minimum would accomplish the following:

(1) Seek to limit marketing in electronic health record systems.

(2) Seek to encourage the provision of evidence based information at the point of care for the prescriber and patient.

(3) Standardize prior authorization to maximize administrative simplification and efficiency and adopt a universal prior authorization form to be made available for electronic use.

(4) Provide for a patient's freedom of choice with respect to the selection of a pharmacy.

(5) Provide for user authentication, audit, and physical security.

BE IT FURTHER RESOLVED that the Legislative Workgroup on Electronic Prescribing is hereby established and shall be composed of the following members

(1) One representative appointed by the Louisiana State Board of Pharmacy who will serve as co-chair.

(2) One representative of the Louisiana State Board of Medical Examiners who will serve as co-chair.

(3) One representative of the Department of Health and Hospitals.

(4) One representative of the Department of Insurance.

(5) One representative appointed by the Louisiana State Medical Society.

(6) One representative appointed by the Louisiana Academy of Family Physicians.

(7) One representative appointed by the Louisiana Independent Pharmacies Association.

(8) One representative appointed by the Pharmaceutical Researchers and Manufacturers of America.

(9) One representative appointed by the Louisiana Association of Health Plans.

(10) One representative appointed by the Louisiana Healthcare Quality Forum.

(11) One representative appointed by the Louisiana Hospital Association.

(12) One representative of the Louisiana Workman's Compensation Commission.

(13) One representative of the Louisiana Association of Self Insured Employers.

(14) One representative of eQHealth Solutions.

(15) One representative of the National Association of Chain Drug Stores.

(16) One representative of the Louisiana Orthopedic Association.

(17) One representative of the Louisiana State Board of Nursing.

(18) One representative of the Louisiana Association of Nurse Practitioners

(19) One representative of Medicine Louisiana, Inc.

(20) One representative of the Louisiana Chapter of the American Academy of Pediatrics.

(21) One representative of the Louisiana State Board of Optometry Examiners.

BE IT FURTHER RESOLVED that the workgroup shall study and provide recommendations on the following aspects of electronic prescribing systems:

(1) Best practices to maintain a neutral platform for the secure electronic transmission of health data including, but not limited to medication history, formulary status, and other patient information health professionals typically access when prescribing medication and other interventions.

(2) Best practices to assure attempts to influence, through economic incentives or otherwise, the prescribing decisions of the practitioner at the point of care can be kept to a minimum and focused on patient safety and outcomes that maximize patient and provider freedom of choice.

(3) Best practices to assure messages in electronic prescribing systems are substantially supported by scientific evidence, accurate, up to date, and fact based, including a fair and balanced presentation of risks and benefits, and support for better clinical decision making, such as alerts to adverse events and access to formulary information.

(4) Best practices to establish a process to provide electronic prior authorization request and approval transactions between providers and group purchasers.

BE IT FURTHER RESOLVED that the Louisiana Board of Pharmacy and the Louisiana State Board of Medical Examiners shall coordinate, facilitate and support the functions and duties of the Legislative Workgroup on Electronic Prescribing.

BE IT FURTHER RESOLVED that the Legislative Workgroup on Electronic Prescribing shall submit a report to Senate Committee on Health and Welfare, the Louisiana Board of Pharmacy, and the Louisiana State Board of Medical Examiners on or before January 1, 2012.

BE IT FURTHER RESOLVED that the Louisiana Board of Pharmacy and the Louisiana State Board of Medical Examiners shall coordinate, facilitate, and support the functions and duties of the study group.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Louisiana Board of Pharmacy, the Louisiana State Board of Medical Examiners, the Louisiana Department of Health and Hospitals, the Louisiana Department of Insurance, the Louisiana State Medical Society, the Louisiana Academy of Family Physicians, the Louisiana Independent Pharmacies Association, Pharmaceutical Researchers and Manufacturers of America, the Louisiana Association of Health Plans, the Louisiana Healthcare Quality Forum, the Louisiana Hospital Association, the Louisiana Workman's Compensation Commission, Louisiana Association of Self Insured Employers, eQHealth Solutions, the National Association of Chain Drug Stores, the Louisiana Orthopedic Association, Louisiana State Board of Nursing, the Louisiana Association of Nurse Practitioners, Medicine Louisiana, Inc., the Louisiana Chapter of the American Academy, and the Louisiana State Board of Optometry Examiners.

PRESIDENT OF THE SENATE