

856 IAC 1-40

SECTION 1. 856 IAC 1-40 IS ADDED TO READ AS FOLLOWS:

Rule 40. Electronic Prescribing

856 IAC 1-40-1 Equipment

Sec. 1. All electronic equipment for receipt of prescription drug orders communicated by way of electronic transmission shall be maintained so as to ensure against unauthorized access and changes to the prescription.

856 IAC 1-40-2 Electronic transmission

Sec. 2. Each electronic data intermediary shall ensure that the prescription electronically transmitted to the pharmacy:

- a. contains no alterations of the
 1. prescription,
 2. the order entry,
 3. drug selection, or
 4. intended drug selection,by any electronic data intermediary.
- b. contains the exact information it contained when originated by the authorized practitioner.
- c. contains one of the following unique identifiers for a practitioner:
 1. National Practitioner Identifier (NPI),
 2. Drug Enforcement Administration registration number
 3. state-issued practitioner license number, or
 4. other Board approved identifier
- d. shall not interfere with the patient's freedom to choose a pharmacy.

856 IAC 1-40-3 Electronic Data Intermediary Requirements

Sec. 3. An applicant for approval as an Electronic Data Intermediary shall:

- a. File an application provided by the Board,
- b. Submit information regarding how the EDI will:
 1. guarantee the security of:
 - a. the prescription,
 - b. the practitioner's identity and privacy, and
 - c. the patient's identity, privacy and confidentiality.
 2. validate the authorized practitioner's licensure status.
- c. Appear before the Board, if requested.

856 IAC 1-40-4 Electronic Data Intermediary Standards

Sec. 4. Each Electronic Data Intermediary shall:

- a. Maintain policies and procedures regarding the security of:
 1. the prescription,
 2. the practitioner's identity and privacy, and
 3. the patient's identity, privacy and confidentiality.
- b. Validate positive identification of the practitioner.

856 IAC 1-40-5 Electronic Prescription Prohibitions

Sec. 5 An Electronic Prescription does not include:

- a. that are transmitted via electronic mail, without the use of an electronic data intermediary,
- b. transmission of a prescription by facsimile, or
- c. any printed prescription from a computer or electronic device.

Hearing Date: November 14, 2005

Hearing Time: 10:00 am

Room: W064

Fiscal Impact: None