

SENATE BILL SUMMARY

Prepared by the Division of Legislative Information for the Senate Bill **AS ORIGINALLY FILED**. For more detail, see Senate Bill Analyses, if available, prepared by the Senate's professional committee staff.

SB 1550 Patients' Medication History Website by Senator Saunders

Requires the Agency for Health Care Administration (AHCA) to contract with a vendor, by June 30, 2009, to design and operate a website that gives health care practitioners, pharmacies, and pharmacists access to patient medication history through a privacy-protected website. Requires the agency to require the contracted vendor to subcontract with private-sector organizations that currently operate electronic prescribing networks that provide such medication history.

Requires the contracted vendor to comply with state and federal privacy laws. Requires the vendor to create a verification system to check the validity of licenses for each health care practitioner, pharmacist, and pharmacy accessing the website.

Authorizes a health care practitioner to use the website only to obtain medication history for a current patient for prescribing purposes with the written permission of the patient.

Authorizes a pharmacy or pharmacist to use the website to obtain only the medication history of patients in dispensing a current prescription for Schedule II, Schedule III, or Schedule IV drugs with the written permission of the patient. Prohibits the pharmacist or pharmacy from accessing pharmacy-identifying information through the website.

Prohibits recovery of damages against a health care practitioner, pharmacist, or pharmacy for accessing or failing to access information from the website.

Provides that a contractor is liable in tort for the improper release of a patient's confidential information. Provides that sovereign immunity may not be raised by the contractor or the insurer of that contractor as a defense in tort regarding the application of confidential information from the website or for breach of contract. (See bill for details)