

1 AN ACT relating to electronic prescription records.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 218A IS CREATED TO
4 READ AS FOLLOWS:

- 5 (1) Notwithstanding provisions of KRS 218A.202 relating to persons and entities
6 authorized to receive data, the Cabinet for Health and Family Services shall
7 provide a copy of a patient's electronic prescription record if requested by:
8 (a) The patient;
9 (b) The patient's legal guardian; or
10 (c) The patient's parent or legal guardian, if the patient is a minor.
11 (2) The cabinet shall correct data in a patient's electronic prescription record upon
12 receiving supporting documentation of any errors, if requested by:
13 (a) The patient;
14 (b) The patient's legal guardian; or
15 (c) The patient's parent or legal guardian, if the patient is a minor.
16 (3) The cabinet shall promulgate administrative regulations in accordance with KRS
17 Chapter 13A to implement this section. The administrative regulations shall
18 include but not be limited to:
19 (a) A patient electronic prescription record request form and a list of the
20 required documentation for the request;
21 (b) A patient electronic prescription record correction request form and a list of
22 required documentation for the request; and
23 (c) A description of information to be included in the copy of the patient's
24 electronic prescription record, including a list of persons or entities who
25 have accessed the patient's record.
26 (4) The forms and information required under subsection (3) of this section shall be
27 made available on the cabinet's Web site.

- 1 (5) The time period for the cabinet to respond to a request for copy of a patient's
2 electronic prescription record and for making a record correction shall not
3 exceed thirty (30) days from the day the cabinet receives a completed request.
- 4 (6) The cabinet may charge a reasonable fee for providing a copy of a patient's
5 electronic prescription record. The cabinet shall not charge a fee for making
6 corrections to a patient's electronic prescription record.