

RÉSUMÉ DIGEST

ACT 28 (SB 90)

2018 Regular Session

Mills

New law requires LDH to establish and post a voluntary nonopioid directive form on its website to allow a patient to voluntarily opt-out of receiving opioid prescriptions from his prescribing practitioner(s). Allows a patient and his prescribing practitioner to sign, execute, and file the nonopioid directive. Allows a patient to appoint a duly authorized guardian or health care representative to override an opt-out directive orally or in writing, for any reason, at any time.

New law provides immunity from civil, criminal, and professional licensure sanctions for pharmacists who dispense an opioid based on an electronic prescription, prescribing practitioners acting with reasonable care for refusing to issue an opioid prescription, an authorized guardian or health care representative for revoking the nonopioid directive, and a prescribing practitioner for issuing a prescription for or administering a controlled substance containing an opioid when he was not a party to the executed and filed nonopioid directive.

New law authorizes health professional licensing boards that regulate prescribers to promulgate rules regarding disciplinary action against a prescribing practitioner who willfully fails to comply with a patient's voluntary nonopioid directive form.

Effective August 1, 2018.

(Adds R.S. 40:1156.1)