

2023 Regular Session

HOUSE BILL NO. 133

BY REPRESENTATIVE TURNER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PRESCRIPTION: Provides relative to the Prescription Monitoring Program Advisory Council

1 AN ACT

2 To amend and reenact R.S. 40:1005(B) and to enact R.S. 40:1005(D) and R.S. 42:17.4,
3 relative to meetings of the Prescription Monitoring Program Advisory Council; to
4 provide for a change in the frequency of meetings; to provide for meetings by
5 electronic means; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1005(B) is hereby amended and reenacted and R.S. 40:1005(D)
8 is hereby enacted to read as follows:

9 §1005. Prescription ~~monitoring program advisory council~~ Monitoring Program
10 Advisory Council

11 * * *

12 B. The members of the advisory council shall serve at the pleasure of their
13 respective appointing authorities, eleven of whom shall constitute a quorum for the
14 transaction of all business. The members shall elect a chairman and vice chairman
15 whose duties shall be established by the advisory council. The board shall fix a time
16 and place for regular meetings of the advisory council, which shall meet at least
17 ~~quarterly~~ once annually. The advisory council shall establish policies and procedures
18 necessary to carry out its duties.

19 * * *

1 D. The advisory council may conduct and its members may attend and
2 participate in a meeting via electronic means in accordance with the provisions of
3 R.S. 42:17.4.

4 Section 2. R.S. 42:17.4 is hereby enacted to read as follows:

5 §17.4. Exception for meetings of the Prescription Monitoring Program Advisory
6 Council

7 A. Notwithstanding any other provision of law to the contrary, the
8 Prescription Monitoring Program Advisory Council (R.S. 40:1005), may conduct and
9 its members may attend and participate in a meeting via electronic means if the
10 Louisiana Board of Pharmacy, the advisory council, and its presiding officer comply
11 with all of the requirements of this Section.

12 B. No later than twenty-four hours prior to a meeting conducted pursuant to
13 the provisions of this Section, the advisory council shall provide for all of the
14 following:

15 (1) The notice and agenda for the meeting, which shall be posted on the
16 website of the Louisiana Board of Pharmacy, emailed to any member of the public
17 or the news media who requests notice of meetings of the public body, and widely
18 distributed to every known news media outlet that broadcasts or publishes news
19 within the geographic area within the jurisdiction of the Louisiana Board of
20 Pharmacy.

21 (2) Detailed information regarding how members of the public may
22 participate in the meeting and submit comments regarding matters on the agenda,
23 which information shall be posted on the website of the Louisiana Board of
24 Pharmacy, emailed to any member of the public or the news media who requests
25 notice of meetings of the public body, and widely distributed to every known news
26 media outlet that broadcasts or publishes news within the geographic area within the
27 jurisdiction of the Louisiana Board of Pharmacy.

28 C. For each meeting conducted pursuant to this Section, all of the following
29 requirements shall apply:

1 (1) The advisory council shall provide a mechanism to receive public
2 comment electronically both prior to and during the meeting.

3 (2) The advisory council shall properly identify and acknowledge all public
4 comments during the meeting and shall maintain those comments in its record of the
5 meeting.

6 (3) The presiding officer of the advisory council shall ensure that each
7 person participating in the meeting is properly identified.

8 (4) The presiding officer shall ensure that all parts of the meeting, excluding
9 any matter discussed in executive session, are clear and audible to all participants in
10 the meeting including the public.

11 D. For the purposes of this Section, the following words and phrases have
12 the following meanings:

13 (1) "Meeting via electronic means" means a meeting occurring via
14 teleconference or video conference.

15 (2) "Teleconference" means a method of communication which enables
16 persons in different locations to participate in a meeting and to hear and otherwise
17 communicate with each other.

18 (3) "Video conference" means a method of communication which enables
19 persons in different locations to participate in a meeting and to see, hear, and
20 otherwise communicate with each other.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 133 Engrossed

2023 Regular Session

Turner

Abstract: Permits the Prescription Monitoring Program Advisory Council to conduct meetings electronically and allows members to attend and participate in meeting remotely.

Present law provides for an advisory council comprised of healthcare professional boards, law enforcement, and lawmakers to oversee the implementation of the electronic prescription tracking program known as the Prescription Monitoring Program.

Proposed law provides that the Prescription Monitoring Program Advisory Council (advisory council) may conduct and its members may attend and participate in a meeting remotely if the La. Board of Pharmacy and the advisory council and its presiding officer comply with all requirements of proposed law.

Proposed law provides that no later than 24 hours prior to a meeting, public notice must be given and participation requirements met in order to conduct a meeting remotely using electronic means. Proposed law further specifies information regarding public participation and commentary through electronic means.

Proposed law provides that the presiding officer of the advisory council shall ensure that each person participating in the meeting is properly identified and all parts of the meeting, excluding any matter discussed in executive session, are clear and audible to all participants and the public.

Proposed law defines "meeting via electronic means", "teleconference", and "video conference".

(Amends R.S. 40:1005(B); Adds R.S. 40:1005(D) and R.S. 42:17.4)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical corrections.