

2023 Regular Session

HOUSE BILL NO. 133

BY REPRESENTATIVE TURNER

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 * * *

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

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

2 §17.4. Exception for meetings of the Prescription Monitoring Program Advisory
3 Council

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

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

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

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

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

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

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

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

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

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

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

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

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____