

**ACT No. 14**

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.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_