

## RÉSUMÉ DIGEST

**ACT 409 (HB 568)**

**2015 Regular Session**

**Thierry**

Existing law authorizes the La. Board of Pharmacy (board) to take certain disciplinary actions against a licensee for committing certain prohibited actions.

New law adds the following prohibited acts:

- (1) Using an independent contractor to provide marketing services for the pharmacy to any practitioner, authorized prescriber, or prospective customer in La. in exchange for compensation unless the compensation paid is an amount set in advance, consistent with fair market value, and not calculated based on the volume or value of actual prescriptions filled by the pharmacy.
- (2) Dispensing or distributing any drug or device to any patient pursuant to a prescription written by a practitioner or a member of the practitioner's group practice if the practitioner or an immediate family member of the practitioner has a direct or indirect financial relationship with the dispensing or distributing pharmacy, unless the financial relationship meets all of the requirements of existing law relative to the prohibition on payment for patient referrals.

Nothing in new law prohibits a practitioner or an immediate family of the practitioner from having an ownership interest in a pharmacy.

New law authorizes the board to require a pharmacy to produce any information the board deems reasonably necessary to investigate alleged violations of and otherwise enforce new law.

Effective August 1, 2015.

(Amends R.S. 37:1241(B)-(F); Adds R.S. 37:1241(A)(23) and (24) and (G))