

2018 Regular Session

SENATE BILL NO. 134

BY SENATOR MILLS

PHARMACEUTICALS. Provides relative to prescriptions for controlled dangerous substances. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 40:978(A), relative to prescriptions for controlled dangerous  
3 substances; to provide for patient options regarding quantity dispensed; to provide  
4 technical corrections; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:978(A) is hereby amended and reenacted to read as follows:

7 §978. Prescriptions

8 A. Except when dispensed or administered directly by a medical practitioner  
9 or administered by a person authorized to administer by such practitioner, other than  
10 a pharmacist, to an ultimate user, no controlled dangerous substance included in  
11 Schedule II, which is a prescription drug as determined under the Louisiana Revised  
12 Statutes of 1950, may be dispensed or administered without either the written  
13 prescription of a practitioner, or an electronic prescription order as provided by  
14 federal law or regulation, except that in emergency situations, as prescribed by the  
15 ~~department~~ **board** by regulation, such drug may be dispensed or administered upon  
16 oral prescription reduced promptly to writing and filed by the pharmacist.  
17 Prescriptions shall be retained in conformity with the requirements of R.S. 40:976.

1 No prescription for a Schedule II substance may be refilled nor may such  
2 prescription be filled more than ninety days after the date of the prescription. **The**  
3 **pharmacist filling a prescription for a Schedule II substance may, upon request**  
4 **of the patient, dispense the prescribed substance in an amount less than the full**  
5 **quantity prescribed in accordance with 21 U.S.C. 829.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

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SB 134 Engrossed DIGEST 2018 Regular Session Mills

Present law provides for prescriptions for controlled dangerous substances. Proposed law provides that a patient may request that the pharmacist dispense less of a Schedule II drug than the amount indicated in the prescription.

Effective August 1, 2018.

(Amends R.S. 40:978(A))