
HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Health and Welfare to Original House Bill No. 548 by Representative Dustin Miller

AMENDMENT NO. 1On page 1, line 2, after "prescriptions" insert "of opioids"AMENDMENT NO. 2On page 1, at the beginning of line 11, insert "A."AMENDMENT NO. 3On page 1, line 11, after "contrary," insert "effective January 1, 2020," after "physician" insert a comma ","AMENDMENT NO. 4On page 1, line 12, after "any" and before "prescription" insert "opioid"AMENDMENT NO. 5On page 1, line 14, after "prescription" delete the remainder of the line and insert the following:

"directly to a pharmacy of the patient's choice, or in the alternative, through a secure electronic data intermediary to the pharmacy. No such data intermediary shall alter or allow unauthorized access to prescription transactions."

B. (1) Any reasonable cost, fees, or expenses incurred for the transfer of an electronically transmitted prescription may be charged to the pharmacy, provided the cost, fee, or expense is consistent between every pharmacy in this state.

(2) A pharmacy can only be charged once for a medication and only if the prescription is filled."

AMENDMENT NO. 6On page 2, line 24, after "oral" insert a comma ","AMENDMENT NO. 7

On page 2, delete lines 26 through 28 and insert in lieu thereof the following:

"C. A pharmacist, physician, or dentist dispensing prescriptions shall include minimum data elements on each prescription label as required by rules promulgated by the Louisiana Board of Pharmacy.

D. A pharmacy that receives an electronic prescription may, if the prescription has not been dispensed, and at the request of the patient or patient's authorized agent, transfer or forward the prescription to an alternative pharmacy designated by the patient or patient's authorized agent, in compliance with rules promulgated by the Louisiana Board of Pharmacy.

E. Notwithstanding any provision of law to the contrary, at minimum, a violation of this Section shall constitute unprofessional conduct and grounds for disciplinary action by the prescribing practitioners health profession licensing board. Each health profession licensing board that regulates prescribers shall promulgate

1 rules to implement and enforce the provisions of this Section relative to prescribing
2 practitioners under their jurisdiction."

3 AMENDMENT NO. 8

4 On page 3, delete lines 1 through 8 and insert in lieu the following:

5 "§1701.3. Patient prescription drug information

6 "A. No patient prescription drug information or other information acquired
7 from an electronic prescription or prescription form, including de-identified
8 information, may be transferred, received, or used for data-mining, marketing, or
9 other transfer by a person or entity without the written consent of the patient or a
10 person authorized by law to act on behalf of the patient.

11 B. For the purpose of this Section, the following terms have the following
12 meaning:

13 (1) "Patient prescription drug information" means data that is conveyed by
14 or on behalf of a practitioner in ordering a prescription drug or device before being
15 dispensed and that identifies the patient as the recipient of the prescription drug or
16 device.

17 (2) "Data-mining" means the practice of electronically sorting data through
18 statistical modeling, intelligent technologies, and other methods in order to uncover
19 patterns, relationships, and any other indicator."