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**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

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1 AMENDMENT NO. 1

2 On page 1, line 2, after "prescriptions" insert "of opioids"

3 AMENDMENT NO. 2

4 On page 1, line 4, after "Louisiana" and before "Board" insert "State"

5 AMENDMENT NO. 3

6 On page 1, at the beginning of line 11, insert "A."

7 AMENDMENT NO. 4

8 On page 1, line 11, after "contrary," insert "effective January 1, 2020," after "physician"  
9 insert a comma "₂"

10 AMENDMENT NO. 5

11 On page 1, line 12, after "any" and before "prescription" insert "opioid"

12 AMENDMENT NO. 6

13 On page 1, line 14, after "prescription" delete the remainder of the line and insert the  
14 following:

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

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

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

23 AMENDMENT NO. 7

24 On page 1, line 15, after "Exceptions" insert a comma "₂" and data requirements, and  
25 penalties"

26 AMENDMENT NO. 8

27 On page 2, line 24, after "oral" insert a comma "₂"

28 AMENDMENT NO. 9

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

30 "C. A practitioner dispensing prescriptions shall include minimum data  
31 elements on each prescription label as required by rules promulgated by the  
32 Louisiana Board of Pharmacy.

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

6           E. Notwithstanding any provision of law to the contrary, at minimum, a  
7 violation of this Section shall constitute unprofessional conduct and grounds for  
8 disciplinary action by the prescribing practitioners health profession licensing board.  
9 Each health profession licensing board that regulates prescribers shall promulgate  
10 rules to implement and enforce the provisions of this Section relative to prescribing  
11 practitioners under their jurisdiction."

12 AMENDMENT NO. 10

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

14 "§1701.3. Patient prescription drug information

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

20           B. For the purpose of this Section, the following terms have the following  
21 meaning:

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

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