
DIGEST

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HB 548 Engrossed

2018 Regular Session

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Abstract: Requires prescribers to transmit opioid prescriptions to pharmacies electronically.

Proposed law requires prescribers of opioid prescriptions to transmit request electronically.

Proposed law provides that any 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.

Proposed law provides that a pharmacy can only be charged once for a medication and only if the prescription is filled.

Proposed law provides the following as exceptions to electronic prescriptions:

- (1) Veterinarians.
- (2) Circumstances where electronic prescribing is not available due to temporary technological or electrical failure.
- (3) By a practitioner to be dispensed by a pharmacy located outside the state.
- (4) When the prescriber and dispenser are the same entity.
- (5) Elements that are not supported by the most recently implemented version of the National Council for Prescription Drug Programs Prescriber/Pharmacist Interface SCRIPT Standard.
- (6) Issued by a practitioner for a drug that the federal Food and Drug Administration requires the prescription to contain certain elements that are not able to be accomplished with electronic prescribing.
- (7) By a practitioner allowing for the dispensing of a non-patient specific prescription pursuant to a standing order, approved protocol for drug therapy, collaborative drug management or comprehensive medication management, in response to a public health emergency, or other circumstances where the practitioner may issue a non-patient specific prescription.
- (8) By a practitioner prescribing a drug under a research protocol.

(9) By practitioners who have received a waiver or a renewal thereof from the requirement to use electronic prescribing.

(10) By a practitioner under circumstances where, notwithstanding the practitioner's present ability to make an electronic prescription as required by this Subsection, such practitioner reasonably determines that it would be impractical for the patient to obtain substances prescribed by electronic prescription in a timely manner, and such delay would adversely impact the patient's medical condition.

Proposed law provides for minimum data requirements in dispensing prescriptions.

Proposed law provides that the minimum penalty for violating electronic prescriptions of opioids shall constitute unprofessional conduct and grounds for disciplinary action by the prescribing prescribers health profession licensing board.

Proposed law provides that no patient prescription drug information or other information acquired from an electronic prescription or prescription form, may be used for data mining.

Proposed law provides for definitions.

Proposed law allows each professional licensing board to establish rules to carry out proposed law.

(Adds R.S. 37:1701.1-1701.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Limit mandatory electronic prescriptions to only opioids.
2. Add that any 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.
3. Add that a pharmacy can only be charged once for a medication and only if the prescription is filled.
4. Add minimum data requirements in dispensing prescriptions.
5. Add that no patient prescription drug information or other information acquired from an electronic prescription or prescription form, may be used for data mining.
6. Add penalties.

7. Add definitions.
8. Make technical changes.