LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 548** HLS 18RS 599
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:
Proposed Amd.:
Sub. Bill For.:

Date: April 11, 2018 1:30 PM
Author: MILLER, D.
Dept./Agy.: LA Board of Pharmacy
Subject: Requires Electronic Transmission of Prescriptions
Analyst: Zachary Rau

DRUGS/PRESCRIPTION EG SEE FISC NOTE SG EX See Note

Requires, with limited exceptions, that prescribers transmit prescriptions for drugs to pharmacies electronically

Proposed law requires prescribers of opioid prescriptions to submit requests to pharmacies electronically, and provides for exceptions to the electronic submission requirement. Proposed law provides that any costs, fees, or expenses associated with the electronically transmitted prescription may be charged to the pharmacy provided the cost is consistent between pharmacies in LA. Proposed law provides that pharmacies may only be charged once for a medication and only if the prescription is filled. Proposed law provides for minimum data requirements in dispensing prescriptions. Proposed law provides for minimum penalties for violation of proposed law shall constitute unprofessional conduct and grounds for disciplinary action by the prescribing practitioners' professional licensing board. Proposed law provides that no patient information and prescription drug information acquired from an electronic prescription may be used for data mining. Proposed law vests enforcement authority with the LA Board of Medical Examiners, LA board of Pharmacy, and the LA Board of Dentistry and allows the aforementioned boards to promulgate rules to implement proposed law.

EXPENDITURES	**2018-19**	**2019-20**	**2020-21**	**2021-22**	**2022-23**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	$0	$0	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total						

REVENUES	**2018-19**	**2019-20**	**2020-21**	**2021-22**	**2022-23**	**5 -YEAR TOTAL**
State Gen. Fd.	$0	$0	$0	$0	$0	**$0**
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Ded./Other	$0	$0	$0	$0	$0	**$0**
Federal Funds	$0	$0	$0	$0	$0	**$0**
Local Funds	$0	$0	$0	$0	$0	**$0**
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will increase SGR expenditures for the LA Board of Pharmacy by an indeterminable, though likely nominal, amount. The proposed legislation requires electronic transmission of opioid prescriptions except for under certain circumstances. The LA Board of Pharmacy Reports a potential one-time expenditure of $4,000 associated with the proposed legislation. Included in the one-time $4,000 expenditure is printing costs for rule promulgation to implement the proposed legislation ($1,000) and travel reimbursements for the Board's Regulation Revision Committee to the extent an additional meeting is required ($3,000). The LA Board of Pharmacy reports having sufficient SGR resources not currently obligated to absorb the aforementioned expenditures.

Furthermore, LA State Board of Medical Examiners and LA State Board of Dentistry may each incur one-time costs to promulgate rules associated with implementing the proposed legislation. Rule promulgation is estimated to carry a one-time expense of $1,000 for each board, which can likely be absorbed utilizing existing resources and budget authority.

REVENUE EXPLANATION

Proposed law may increase SGR collections for the LA State Board of Medical Examiners and the LA State Board of Dentistry by an indeterminable amount. The proposed legislation contains new penalty provisions for practitioners not issuing opioid prescriptions electronically, stating that it shall constitute grounds for a disciplinary hearing, which may result in fines being levied against practitioners found in violation. Because the number of practitioners committing violations, as well as the associated amount of fines, is unknown, any revenue collected from fines is indeterminable and currently speculative.

Senate Dual Referral Rules

☐ 13.5.1 >= $100,000 Annual Fiscal Cost {S&H}

☐ 13.5.2 >= $500,000 Annual Tax or Fee Change {S&H}

House

☐ 6.8(F)(1) >= $100,000 SGF Fiscal Cost {H & S}

☐ 6.8(G) >= $500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux

Evan Brasseaux
Staff Director