

2022 Regular Session

SENATE BILL NO. 329

BY SENATOR FRED MILLS

PHARMACISTS. Provides relative to statewide protocols for pharmacists. (8/1/22)

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AN ACT

To enact R.S. 37:1220 and 1220.1 and to repeal R.S. 37:1164(39), relative to pharmacy collaborative drug therapy management; to provide for statewide protocols for patient care services by pharmacists; to provide for the duties of the Louisiana Board of Pharmacy; to provide for the Public Health and Pharmacy Protocol Advisory Committee; to provide for membership, officers, terms, and reimbursement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1220 and 1220.1 are hereby enacted to read as follows:

§1220. Statewide protocols for patient care services by pharmacists

A. A pharmacist holding an active and unrestricted license issued by the board may, independently or in conjunction with one or more similarly licensed pharmacists, engage in practice with one or more practitioners in accordance with a written agreement, subject to administrative rules promulgated by the board.

B. A pharmacist holding an active and unrestricted license issued by the board may, in accordance with a statewide patient care service protocol

1 developed by the Public Health and Pharmacy Protocol Advisory Committee
2 pursuant to R.S. 37:1220.1 and adopted by administrative rule, provide
3 approved patient care services including but not limited to smoking cessation
4 therapy and travel health services.

5 C. The board shall establish by administrative rule one or more
6 statewide protocols for patient care services by pharmacists, as recommended
7 by the Public Health and Pharmacy Protocol Advisory Committee. The
8 protocols for patient care services by pharmacists may authorize a pharmacist
9 to prescribe and dispense any of the following:

10 (1) Prescription medications excluding controlled substances.

11 (2) Prescription devices and durable medical equipment.

12 D. A pharmacist may order and administer laboratory tests when
13 authorized by a written agreement pursuant to Subsection A of this Section or
14 a patient care service protocol, subject to administrative rules promulgated by
15 the board. A pharmacist may interpret the results of a test, but shall not
16 establish a medical diagnosis. A pharmacist shall not rely on the results of a test
17 to independently issue a prescription, but may issue prescriptions when
18 authorized by a written agreement pursuant to Subsection A of this Section or
19 a patient care service protocol.

20 E. The board shall promulgate administrative rules in accordance with
21 the Administrative Procedure Act to implement the provisions of this Section.

22 §1220.1. Public Health and Pharmacy Protocol Advisory Committee

23 A. The board shall convene a Public Health and Pharmacy Protocol
24 Advisory Committee consisting of seven members for the purpose of
25 recommending to the board for adoption by administrative rule statewide
26 protocols for patient care services to implement the provisions of R.S. 37:1220.

27 B. The committee shall be composed of the following:

28 (1) Two physicians licensed to practice medicine, appointed by the
29 Louisiana State Board of Medical Examiners.

1 **(2) Two advanced practice registered nurses with prescriptive authority,**
2 **appointed by the Louisiana State Board of Nursing.**

3 **(3) Three pharmacists, appointed by the Louisiana Board of Pharmacy,**
4 **at least one of whom shall practice primarily within a community pharmacy**
5 **and at least one of whom shall practice primarily within an organized health**
6 **system.**

7 **C. The term of each member of the committee shall be two years. A**
8 **member whose term has expired shall continue to serve until a successor is**
9 **appointed. Any vacancy on the committee shall be filled for the remainder of**
10 **the unexpired term in the same manner as the original appointment.**

11 **D. A member of the committee who fails to attend two consecutive**
12 **committee meetings shall be removed from the committee unless the failure to**
13 **attend was due to a serious health condition of the member or family member**
14 **of the member.**

15 **E. The committee shall elect one of its members to serve as chairperson**
16 **and another member to serve as vice chairperson.**

17 **F. Committee members shall be entitled to reimbursement of their**
18 **travel expenses as authorized by R.S. 39:231, to be paid by the Louisiana Board**
19 **of Pharmacy.**

20 **G. Four members shall constitute a quorum for the transaction of all**
21 **business. All official business of the committee shall require the affirmative vote**
22 **of a majority of the quorum.**

23 **H. The committee shall recommend to the board for adoption by**
24 **administrative rule one or more statewide protocols for patient care services by**
25 **pharmacists. The committee shall periodically review the list of protocols and**
26 **recommend revisions to the board for adoption by administrative rule.**

27 **I. A pharmacist or practitioner may petition the committee for the**
28 **addition of a new statewide protocol for patient care service by pharmacists by**
29 **submitting a request in a form and manner prescribed by the board.**

1 Section 2. R.S. 37:1164(39) is hereby repealed.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 329 Original 2022 Regular Session Fred Mills

Proposed law provides that a licensed pharmacist may, independently or with one or more similarly licensed pharmacists, engage in practice with one or more practitioners in accordance with a written agreement, subject to administrative rules promulgated by the La. Board of Pharmacy.

Proposed law provides that a licensed pharmacist may render approved patient care services including but not limited to smoking cessation therapy and travel health services, in accordance with a statewide patient care service protocol developed by the Public Health and Pharmacy Protocol Advisory Committee.

Proposed law provides that the protocols for patient care services by pharmacists may authorize a pharmacist to prescribe and dispense any of the following: prescription medications, excluding controlled substances, prescription devices, and durable medical equipment. Proposed law further provides that a pharmacist may order and administer laboratory tests when authorized by a written agreement pursuant to proposed law or patient care service protocol.

Proposed law provides for the Public Health and Pharmacy Protocol Advisory Committee consisting of seven members for the purpose of recommending statewide protocols for patient care services. Proposed law further provides for the term of committee members and filling of vacancies, officers, and reimbursement of travel expenses.

Present law defines "pharmacy collaborative drug therapy management".

Proposed law repeals present law.

Effective August 1, 2022.

(Adds R.S. 37:1220 and 1220.1; repeals R.S. 37:1164(39))