

CONFERENCE COMMITTEE REPORT

HB 117

2022 Regular Session

Echols

June 6, 2022

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 117 by Representative Echols, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee Amendments (#3924) be adopted.
- 2. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "To enact" and before "R.S. 37:1704," insert "R.S. 28:916(E) and"

AMENDMENT NO. 2

In Senate Committee Amendment No. 1 by the Senate Committee on Health and Welfare (#3924), on page 1, line 2, after "laws;" and before the quotation mark " " " insert "to provide relative to human services districts and authorities;"

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 28:916(E) is hereby enacted to read as follows:

§916. Employees

* * *

E. No employee of a district or authority shall use his personal image or likeness on any advertisement for or announcement from the district or authority."

AMENDMENT NO. 4

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 5

In Senate Committee Amendment No. 2 by the Senate Committee on Health and Welfare (#3924), on page 1, line 5, change "C." to "C.(1)"

AMENDMENT NO. 6

In Senate Committee Amendment No. 2 by the Senate Committee on Health and Welfare (#3924), on page 1, line 6, delete "the Louisiana Department of Health or"

AMENDMENT NO. 7

In Senate Committee Amendment No. 2 by the Senate Committee on Health and Welfare (#3924), on page 1, at the end of line 9, delete the quotation mark " " "

AMENDMENT NO. 8

In Senate Committee Amendment No. 2 by the Senate Committee on Health and Welfare (#3924), on page 1, after line 9, add the following:

"(2) No licensed healthcare professional with prescriptive authority who lawfully prescribes, administers, or dispenses for an off-label use a drug that has been approved for a specific use by the FDA shall be subject to disciplinary action solely because of such prescribing, administering, or dispensing.

D. The provisions of this Section shall not be construed to provide a right to an abortion by means of an abortion-inducing drug and are superseded by other provisions of law that restrict or prohibit abortion.

Section 3. Any and all lease agreements existing between the Central Louisiana Human Services District and any other party or parties shall be amended only as provided for in such lease agreements. As of June 1, 2022, all licensed tenants of the Central Louisiana Human Services District shall be considered jointly approved by both lessee and lessor throughout the terms of such lease, or extension of such lease, in effect and no joint approval shall be required for such tenants." "

Respectfully submitted,

Representative Michael Charles Echols

Senator Fred H. Mills Jr.

Representative Lawrence A. "Larry" Bagley

Senator Sharon Hewitt

Representative Rhonda Gaye Butler

Senator Patrick McMath

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and onliner of the instrument as it left the House

DRUGS/PRESCRIPTION: Provides relative to prescribing, administering, and dispensing of drugs for off-label use

Report adopts Senate amendments to:

1. Stipulate that nothing in proposed law shall be construed to restrict, preclude, or prohibit state regulatory authorities from taking all actions necessary to protect the public health, safety, and welfare from harm due to off-label prescribing.

Report amends the bill to:

1. Stipulate that no licensed healthcare professional with prescriptive authority who lawfully prescribes, administers, or dispenses a drug for an off-label use shall be subject to disciplinary action solely because of such prescribing, administering, or dispensing.
2. Delete a reference to the La. Dept. of Health from proposed law providing that nothing therein shall restrict, preclude, or prevent certain state regulatory authorities from taking actions necessary to protect the public health, safety, and welfare from harm due to off-label prescribing.
3. Stipulate that nothing in proposed law shall be construed to provide a right to an abortion by means of an abortion-inducing drug and that proposed law is superseded by other provisions of law that restrict or prohibit abortion.
4. Prohibit any employee of a human services district or authority from using his personal image or likeness on any advertisement for or announcement from the district or authority.
5. Provide that any and all lease agreements existing between the Central La. Human Services District and any other party or parties shall be amended only as provided for in such lease agreements. Provide further that as of June 1, 2022, all licensed tenants of the Central La. Human Services District shall be considered jointly approved by both lessee and lessor throughout the terms of such lease, or extension of such lease, in effect and no joint approval shall be required for such tenants.

Digest of the bill as proposed by the Conference Committee

Present law provides for licensure and regulation by the state of various types of healthcare professionals.

Proposed law retains present law and stipulates that neither the La. Dept. of Health (LDH) nor any healthcare professional licensing board or commission shall prohibit or restrict the prescribing, administering, or dispensing for an off-label use a drug that has been approved for a specific use by the U.S. Food and Drug Administration (FDA).

Proposed law defines "off-label use", for purposes of proposed law, as the use of a prescription drug for an indication for which it has not been approved by the FDA or the use of such drug in an age group, dosage, or route of administration that has not been approved by the FDA.

Proposed law stipulates that nothing in proposed law shall be construed in any of the following ways:

- (1) To restrict, preclude, or prohibit any healthcare professional licensing board or commission from taking all actions necessary to protect the public health, safety, and welfare from harm or abuse due to prescription drug off-label use.
- (2) To provide a right to an abortion by means of an abortion-inducing drug.

Proposed law provides that no licensed healthcare professional with prescriptive authority who lawfully prescribes, administers, or dispenses a drug for an off-label use shall be subject to disciplinary action solely because of such prescribing, administering, or dispensing.

Present law, R.S. 28:910 et seq., creates and provides for human services districts and authorities. Proposed law retains present law and prohibits any employee of a human services district or authority from using his personal image or likeness on any advertisement for or announcement from the district or authority.

Proposed law provides that any and all lease agreements existing between the Central La. Human Services District and any other party or parties shall be amended only as provided for in such lease agreements. Provides further that as of June 1, 2022, all licensed tenants of the Central La. Human Services District shall be considered jointly approved by both lessee and lessor throughout the terms of such lease, or extension of such lease, in effect and no joint approval shall be required for such tenants.

(Adds R.S. 28:916(E) and R.S. 37:1704)