

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 579****2024 Regular Session****McMahan**

PHARMACISTS: Provides relative to pharmacist authorization to dispense HIV pre-exposure and post-exposure prophylaxis

Synopsis of Senate Amendments

1. Redesignates proposed law provisions to Title 37 of the Louisiana Revised Statutes of 1950.
2. Authorizes pharmacists to perform a rapid Human Immunodeficiency Virus (HIV) test for patients.
3. Requires patients receiving HIV medication or HIV testing from a pharmacist to be 17 or older.
4. Removes authorization for a pharmacist to initiate therapy, order laboratory tests, dispense, and administer drugs in conjunction with the protocol required by proposed law.
5. Requires proposed law to be implemented via rulemaking from the La. Dept. of Health.
6. Changes the membership of the expert panel to include additional physicians and pharmacists.
7. Changes the date that the La. Dept. of Health shall have its rules promulgated from Dec. 2024 to Mar. 2025.
8. Removes "working group" references and the requirement for the membership of certain representatives from proposed law.
9. Allows pharmacists to dispense and administer up 30 days supply of pre-exposure prophylaxis and 28 days of post-exposure prophylaxis.
10. Requires certain conditions for a pharmacist to conduct a rapid test.
11. Adds language to ensure patient confidentiality.
12. Requires a pharmacist to document his steps to obtain consent, order, process, evaluate, interpret, and discuss test results with patients as authorized in the rules promulgated by the La. Dept. of Health.
13. Provides that rate reimbursement for services provided by a pharmacist in accordance with proposed law shall be the same as any other participating provider in accordance with the patient's health plan.
14. Makes technical corrections.

Digest of Bill as Finally Passed by Senate

Proposed law defines "department", "human immunodeficiency virus", "post-exposure prophylaxis", and "pre-exposure prophylaxis".

Proposed law provides that a pharmacist may prescribe, dispense, and administer drugs for HIV pre-exposure prophylaxis and HIV post-exposure prophylaxis for a person 17 years or older pursuant to a standing order or protocol developed by the La. Dept. of Health.

Proposed law authorizes a pharmacist to perform a rapid HIV test or order laboratory testing for HIV infection for a person 17 years or older pursuant to protocol developed by the La. Dept. of Health.

Proposed law establishes certain requirements to ensure privacy and confidentiality relative to tests administered in accordance with proposed law.

Proposed law requires the La. Dept. of Health to promulgate administrative rules in accordance with present law to establish protocols for the provisions of proposed law.

Proposed law requires the La. Dept. of Health to consult with an expert panel in developing the rules and protocol and identifies members of the expert panel.

Proposed law establishes certain requirements, including training program as approved by the La. Dept. of Health, to be included in the protocol.

Proposed law establishes requirements for the training program.

Proposed law further requires a pharmacist to document a focused assessment of the patient following best practices and guidelines for preventing HIV and outline the steps to obtain consent, order, process, evaluate, interpret, and discuss results with patients of any laboratory tests listed in the protocol.

Proposed law requires a pharmacist to identify the nature and obligations for successful HIV pre-exposure prophylaxis or HIV post-exposure prophylaxis, as required by the patient and the importance of timely testing for HIV and related complications and comorbid conditions.

Proposed law further requires reimbursement for any pharmacist authorized to provide a service relative to HIV pre-exposure and post-exposure prophylaxis. Such reimbursement shall be done at the same rate as a physician providing the service.

Proposed law provides that proposed law shall not be construed to require reimbursement from a health plan coverage or a third-party administrator or pharmacy benefit manager.

Proposed law may apply to group plan coverage provided to a resident of this state regardless of whether the health coverage plan policy, contract, or other agreement is delivered, issued for delivery, or renewed in this state.

(Adds R.S. 37:1218.2)