DIGEST

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HB 377 Original 2025 Regular Session Owen

Abstract: Provides that an individual has the authority to refuse a drug or other pharmaceutical if the product has only received Emergency Authorization from the United States Food and Drug Administration (FDA).

Present law states that an individual may refuse a drug or medical treatment, and a healthcare professional or healthcare institution is required to obtain informed consent prior to providing a medical treatment or drug except in emergency circumstances.

Proposed law defines "informed consent", "healthcare provider", and "covered drug or vaccine".

Proposed law retains present law and adds that a healthcare provider is required to provide written and verbal notice to a patient informing him that he may refuse a covered drug or vaccine when the drug or other product is approved only by an FDA Emergency Use Authorization.

Proposed law provides that a healthcare provider is required to explain the emergency use authorization status of a covered drug or vaccine, the known risks and benefits of the covered drug or vaccine, and that the patient may refuse a covered drug or vaccine.

Proposed law requires a healthcare provider to obtain a signature of electronic verification from a patient as an acknowledgment that the patient received the notice required by proposed law.

Proposed law states that a healthcare provider who fails to provide notice to and record acknowledgment from a patient may be subject to a disciplinary action from the healthcare provider's licensing body or other appropriate state or federal agency.

(Adds R.S. 40:1162.1-1162.3)