

Regular Session, 2014

SENATE BILL NO. 496

BY SENATOR HEITMEIER

CONTROL DANGER SUBSTANCE. Provides for limits on certain prescriptions. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 40:978(A) and to enact R.S. 40:978(E) and (F), relative to
3 prescriptions; to provide for limits on certain prescriptions issued; to provide for an
4 effective date; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:978(A) is hereby amended and reenacted and R.S. 40:978(E) and
7 (F) are hereby enacted to read as follows:

8 §978. Prescriptions

9 A. Except when dispensed or administered directly by a medical practitioner
10 or administered by a person authorized to administer by such practitioner, other than
11 a pharmacist, to an ultimate user, no controlled dangerous substance included in
12 Schedule II, which is a prescription drug as determined under the Louisiana Revised
13 Statutes, of 1950, may be dispensed or administered without either the written
14 prescription of a practitioner, or an electronic prescription order as provided by
15 federal law or regulation, except that in emergency situations, as prescribed by the
16 department by regulation, such drug may be dispensed or administered upon oral
17 prescription reduced promptly to writing and filed by the pharmacist. Prescriptions

1 shall be retained in conformity with the requirements of R.S. 40:976. No prescription
 2 for a Schedule II substance may be refilled **nor may such prescription be filled**
 3 **more than ninety days after the date of the prescription.**

4 * * *

5 **E. No prescription for any controlled substance may be written or issued**
 6 **for more than the greater of one hundred twenty dosage units or a thirty-day**
 7 **supply of the maximum total daily dosage identified in the manufacturer's**
 8 **package insert on file with the United States Food and Drug Administration.**

9 **F. No more than three controlled substance prescriptions may be written**
 10 **or issued to a patient by a licensed practitioner during the same thirty-day**
 11 **period.**

12 Section 2. This Act shall become effective upon signature by the governor or, if not
 13 signed by the governor, upon expiration of the time for bills to become law without signature
 14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 16 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Heitmeier (SB 496)

Present law provides no prescription for a Schedule II substance may be refilled.

Proposed law provides a Schedule II prescription may not be filled more than 90 days after
 the date of the prescription.

Proposed law provides no prescription for any controlled substance may be written or issued
 for more than the greater of 120 dosage units or a 30-day supply of the maximum total daily
 dosage identified in the manufacturer's package insert on file with the United States Food
 and Drug Administration.

Proposed law provides no more than three controlled substance prescriptions may be written
 or issued to a patient by a licensed practitioner during the same 30-day period.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 40:978(A); adds R.S. 40:978(E) and (F))