

SENATE BILL NO. 496

BY SENATOR HEITMEIER

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 the limited dispensing of certain controlled substances;
4 to provide for accessing the Prescription Monitoring Program in certain situations;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

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

9 §978. Prescriptions

10 A. Except when dispensed or administered directly by a medical practitioner
11 or administered by a person authorized to administer by such practitioner, other than
12 a pharmacist, to an ultimate user, no controlled dangerous substance included in
13 Schedule II, which is a prescription drug as determined under the Louisiana Revised
14 Statutes, of 1950, may be dispensed or administered without either the written
15 prescription of a practitioner, or an electronic prescription order as provided by
16 federal law or regulation, except that in emergency situations, as prescribed by the
17 department by regulation, such drug may be dispensed or administered upon oral
18 prescription reduced promptly to writing and filed by the pharmacist. Prescriptions
19 shall be retained in conformity with the requirements of R.S. 40:976. No prescription
20 for a Schedule II substance may be refilled **nor may such prescription be filled**
21 **more than ninety days after the date of the prescription.**

22 * * *

23 **E.(1) The pharmacist shall not dispense more than a ten-day supply at**
24 **a dosage not to exceed the United States Food and Drug Administration's**
25 **approved labeling for the medication if the prescriber for such medication is not**
26 **licensed by the state of Louisiana, and the medication is an opiod derivative**

1 Schedule II or an opioid derivative Schedule III controlled dangerous substance.
 2 The dispensing pharmacist shall notify the prescriber of the supply dispensed
 3 and the cancellation of the remainder of the prescription.

4 (2) Within sixty days of the dispensing of a medication pursuant to
 5 Paragraph (1) of this Subsection, such a medication shall not be dispensed again
 6 for the individual by a prescriber not licensed by the state of Louisiana.

7 F. A prescriber shall access the Prescription Monitoring Program prior
 8 to initially prescribing any Schedule II controlled dangerous substance to a
 9 patient for the treatment of non-cancer-related chronic or intractable pain.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____