
DIGEST

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HB 284 Reengrossed

2019 Regular Session

Abraham

Abstract: Institutes certain requirements for medical practitioners and pharmacists relative to prescribing and dispensing of opioid drugs.

Present law provides, with certain exceptions, that when issuing a first-time opioid prescription for outpatient use to a patient with an acute condition, a medical practitioner shall not issue a prescription for more than a seven-day supply of the opioid drug.

Present law authorizes a medical practitioner to prescribe more than a seven-day supply of an opioid drug if, in his professional medical judgment, more than a seven-day supply is necessary to treat the patient's condition. Requires that the condition necessitating more than a seven-day supply be documented in the patient's medical record, and that the practitioner indicate that a nonopioid alternative was not appropriate to address the patient's condition.

Proposed law retains present law and adds thereto a requirement that any practitioner who writes a prescription for more than a seven-day supply of an opioid, as authorized in present law, shall clearly indicate on the prescription order that the prescription is not subject to the seven-day limit on the supply of the opioid.

Proposed law provides that if a pharmacist fails to dispense the prescribed amount of an opioid drug, he shall notify the prescriber by telephone, facsimile transmission, or electronic mail as soon as is practicable, but in no case more than 72 hours after dispensing or failing to dispense the prescription. Provides that if the pharmacist is unable to notify the prescriber directly, he may notify the medical office at which the prescriber practices, and this notification shall be deemed to satisfy the requirements of proposed law.

Present law authorizes a pharmacist filling a prescription for an opioid to dispense the drug in an amount less than the recommended full quantity indicated on the prescription if requested by the patient.

Proposed law retains present law and stipulates that if the patient does not request that his prescription for an opioid be dispensed in an amount less than the recommended full quantity indicated on the prescription, then the pharmacist shall dispense to the patient the full quantity indicated on the prescription. Provides that failure by a pharmacist to comply with this requirement may subject the pharmacist to disciplinary action by the La. Board of Pharmacy.

Proposed law requires that if a pharmacist limits the quantity of a controlled substance he dispenses

as authorized or required by federal regulation, he shall notify the prescriber by telephone, facsimile transmission, or electronic mail as soon as is practicable, but in no case more than 72 hours after dispensing or failing to dispense the prescription. Provides that if the pharmacist is unable to notify the prescriber directly, he may notify the medical office at which the prescriber practices, and this notification shall be deemed to satisfy the requirements of proposed law.

(Amends R.S. 40:978(G)(2) and (H)(2)(a))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Delete provisions of proposed law that duplicate present law requiring that the quantity of a prescription drug be indicated on a prescription order.
2. Delete proposed law providing that failure by a medical practitioner to comply with proposed law shall be deemed unauthorized practice and a violation of the practitioner's practice standard, and shall subject the practitioner to disciplinary action by the health profession licensing board which issues his license.
3. Provide that if a pharmacist fails to dispense the prescribed amount of an opioid drug, he shall notify the prescriber within 24 hours.
4. Revise proposed law providing that failure by a pharmacist to comply with proposed law shall subject him to disciplinary action by the La. Board of Pharmacy to provide, instead, that the board may take disciplinary action in such cases.
5. Delete proposed law stipulating that proposed law shall not apply when a pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by federal regulation.
6. Provide that if a pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by federal regulation, he shall notify the prescriber within 24 hours.

The House Floor Amendments to the engrossed bill:

1. Provide that the purpose of proposed law is protection of the health of the patient.
2. Delete proposed law requiring that if a pharmacist fails to dispense the prescribed amount of an opioid, he shall notify the prescriber within 24 hours. Provide instead that if the pharmacist fails to dispense the prescribed amount of an opioid, he shall notify the prescriber by telephone, facsimile transmission, or electronic mail as soon as is practicable, but in no case more than 72 hours after dispensing or failing to dispense the

prescription. Provide further that if the pharmacist is unable to notify the prescriber directly, he may notify the medical office at which the prescriber practices.

3. Delete proposed law requiring that if a pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by certain federal regulations, he shall notify the prescriber within 24 hours. Provide instead that if the pharmacist limits the quantity of a controlled substance he dispenses as authorized or required by those federal regulations, he shall notify the prescriber by telephone, facsimile transmission, or electronic mail as soon as is practicable, but in no case more than 72 hours after dispensing or failing to dispense the prescription. Provide further that if the pharmacist is unable to notify the prescriber directly, he may notify the medical office at which the prescriber practices.