

**HOUSE SUMMARY OF SENATE AMENDMENTS**

**HB 568**

**2015 Regular Session**

**Thierry**

PHARMACISTS: Provides relative to the licensing and regulation of pharmacists

**Synopsis of Senate Amendments**

1. Remove the provision limiting the application of proposed law to only compounding pharmacies.
2. Clarify that proposed law applies to marketing services provided to recipients located within Louisiana.
3. Replace the basis of the financial relationship exception for prohibited acts of dispensing or distributing from federal law to state law.
4. Remove the definitions of "direct or indirect financial relationship" and "immediate family member".
5. Remove the provision of proposed law that would apply the prohibition relative to direct dispensing or distributing to any arrangement or scheme that has the principal purpose of assuring indirect referrals.
6. Provide that nothing in proposed law will prohibit a practitioner or an immediate family member of a practitioner from having an ownership interest in a pharmacy.
7. Make technical changes.

Present law authorizes the La. Board of Pharmacy (board) to take certain disciplinary actions against a licensee for committing certain prohibited actions.

Proposed law retains present law but adds the following prohibited acts:

- (1) Using an independent contractor to provide marketing services for the pharmacy to any practitioner, authorized prescriber, or prospective customer in La. in exchange for compensation unless the compensation paid is an amount set in advance, consistent with fair market value, and not calculated based on the volume or value of actual prescriptions filled by the pharmacy.
- (2) Dispensing or distributing any drug or device to any patient pursuant to a prescription written by a practitioner or a member of the practitioner's group practice if the practitioner or an immediate family member of the practitioner has a direct or indirect financial relationship with the dispensing or distributing pharmacy, unless the financial relationship meets all of the requirements of present law relative to the prohibition on payment for patient referrals.

Nothing in proposed law prohibits a practitioner or an immediate family of the practitioner from having an ownership interest in a pharmacy.

Proposed law authorizes the board to require a pharmacy to produce any information the board deems reasonably necessary to investigate alleged violations of and otherwise enforce proposed law.

Proposed law makes technical changes to update the reference of each provision of proposed law.

(Amends R.S. 37:1241(B)-(F); Adds R.S. 37:1241(A)(23) and (24) and (G))