AN ACT

To enact R.S. 40:978(G) and (H), relative to opioid prescriptions; to provide for a seven-day limit on prescriptions; to provide for exceptions to the limitation; to authorize a prescription to be filled for a lesser quantity than the maximum prescribed amount; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.  R.S. 40:978(G) and (H) are hereby enacted to read as follows:

§978. Prescriptions

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G.(1)(a)  Except as provided in Paragraph (2) of this Subsection, when issuing a first-time opioid prescription for outpatient use to an adult patient with an acute condition, a medical practitioner shall not issue a prescription for more than a seven-day supply.

(b)  Except as provided in Paragraph (2) of this Subsection, a medical practitioner shall not issue a prescription for an opioid to a minor for more than a seven-day supply at any time and shall discuss with a parent, tutor, or guardian of the minor the risks associated with opioid use and the reasons why the prescription is necessary.
(2) If, in the professional medical judgment of a medical practitioner, more than a seven-day supply of an opioid is required to treat the adult or minor patient's acute medical condition or is necessary for the treatment of chronic pain management, pain associated with a cancer diagnosis, or for palliative care, the practitioner may issue a prescription for the quantity needed to treat the patient's acute medical condition or pain. The condition triggering the prescription of an opioid for more than a seven-day supply shall be documented in the patient's medical record and the practitioner shall indicate that a nonopioid alternative was not appropriate to address the medical condition.

(3) This Subsection shall not apply to medications designed for the treatment of substance abuse or opioid dependence.

H.(1) Prior to issuing a prescription for an opioid, a medical practitioner shall do both of the following:

  (a) Consult with the patient regarding the quantity of the opioid and the patient's option to fill the prescription in a lesser quantity.

  (b) Inform the patient of the risks associated with the opioid prescribed.

(2)(a) A pharmacist filling a prescription for an opioid may dispense the prescribed substance in an amount less than the recommended full quantity indicated on the prescription if requested by the patient and the prescription complies with the provisions of this Section. The patient may request that the pharmacist fill an additional amount not to exceed the remaining prescribed quantity in accordance with 21 U.S.C. 829.

  (b) If the dispensed amount is less than the recommended full quantity, the pharmacist or a designee shall ensure that the actual dispensed amount is accurately recorded in the prescription monitoring program. The pharmacist or a designee shall also, within seven days, make a notation in the interoperable electronic health record of the patient if the pharmacist has access to the record.

  (c) Nothing in this Subsection shall be interpreted to conflict with or supersede any other requirement established in this Section for a prescription of a
controlled dangerous substance or any requirements or conditions for drug
substitutions established by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

CODING: Words in struck through type are deletions from existing law; words underscored are additions.