

RÉSUMÉ DIGEST

ACT 23 (SB 26)

2018 Regular Session

Mills

New law provides that upon the death of a patient receiving hospice services, ownership of the patient's unused Schedule II, III, IV, or V controlled substances may transfer to the hospice for immediate disposal. Provides that if the provider disposes of the unused controlled substances then each hospice is to comply with the following provisions:

- (1) Establish a written procedure to ensure safe disposal of the unused substances at the time of the patient's death.
- (2) Upon the patient's death and in the presence of a witness, the hospice nurse is to record in the medical record the name and quantity of the unused controlled substance.
- (3) Require the hospice nurse to conduct immediate disposal of the controlled substance at the site of care in compliance with the Environmental Protection Agency and Drug Enforcement Administration guidelines for safe disposal or immediate mail-back to a registered authorized collector pursuant to federal rules.
 - (a) If conducting immediate disposal at the site of care, requires the hospice nurse to perform the disposal in the presence of a witness, who shall sign a document indicating their witnessing the disposal.
 - (b) If participating in immediate mail-back to a registered authorized collector, requires the hospice nurse to deposit the unused controlled substance into the mail-back envelope and seal the envelope at the site of care in the presence of a witness, who shall sign a document indicating their witnessing the hospice nurse sealing the controlled substance in the mail-back envelope. Requires the hospice nurse to immediately initiate delivery to the registered authorized collector.
- (4) Prohibit hospice employees from removing controlled substances from the site of care, except for the hospice nurse as provided in proposed law.
- (5) Require the hospice nurse to record the method of disposal in the medical record.

New law requires that a copy of the written policy established pursuant to new law be furnished to each patient and to the patient's healthcare representative at the time the patient is enrolled in hospice.

Effective August 1, 2018.

(Adds R.S. 40:2191)