

GREEN SHEET REDIGEST

HB 284

2019 Regular Session

Abraham

DRUGS/PRESCRIPTION: Provides relative to prescribing and dispensing of opioid drugs.

DIGEST

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.

(Amends R.S. 40:978(G)(2))

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.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Provides clarification that the prescribing practitioner may prescribe for more than a seven- day supply of opioids if he documents the directive in the patient's medical records and on the patient's prescription.
2. Provides clarification that the practitioner shall indicate in the patient's medical record that a nonopioid alternative was not appropriate.
3. Removes all punitive provisions relative to pharmacists.