
The original instrument was prepared by Lauren Bailey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Christopher D. Adams.

DIGEST

Johns (SB 112)

Present law provides that prescription monitoring information will be protected health information not subject to disclosure with certain limited exceptions.

Proposed law retains present law and adds the following two exceptions wherein the board may provide prescription monitoring information:

In response to queries from prescription monitoring programs located in other states, through its participation in a secure interstate data exchange system.

To authorized users of the prescription monitoring program via a state health information exchange or other third party conduit that has been approved by the board.

Proposed law provides the board shall not provide prescription monitoring information to prescription monitoring programs located in other states unless the laws of the state receiving the information provide at a minimum both of the following:

That the prescription monitoring information is protected health information, not subject to the Public Records Law, and not subject to disclosure.

That the prescription monitoring information shall not be subject to civil subpoena, nor shall such information be disclosed, discoverable, or compelled to be produced in any civil proceeding, nor shall such records be deemed admissible as evidence in any civil proceeding for any reason.

Effective August 1, 2012.

(Amends R.S. 40:1007(A), (B), (G), and (H); adds R.S. 40:1007(I) and (J))

Summary of Amendments Adopted by Senate

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

1. Provides requirements for the board when sharing prescription monitoring information with prescription monitoring programs located in other states.

2. Technical amendment.