SLS 18RS-1303 **ORIGINAL** 

2018 Regular Session

1

SENATE BILL NO. 477 (Substitute of Senate Bill No. 189 by Senator LaFleur)

BY SENATOR LAFLEUR

PHARMACEUTICALS. Provides for electronic prescribing of noncontrolled legend drugs. (8/1/18)

AN ACT

2	To enact R.S. 37:1164(59) and 1226.4; relative to electronic prescribing of noncontrolled
3	legend drugs; to provide for a definition of chart order; to provide for bidirectional
4	transmission; to provide for authority to the Louisiana State Law Institute to
5	alphabetize the definition list; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 37:1164(59) and 1226.4 are hereby enacted to read as follows:
8	§1164. Definitions
9	As used in this Chapter, the following terms have the meaning ascribed to
10	them by this Section:
11	* * *
12	(59) "Chart Order" is a lawful order entered on the electronic or paper
13	chart or medical record of an inpatient or resident of an institutional facility by
14	a practitioner or his licensed healthcare designee for a drug or device and shall
15	be considered a prescription drug order provided it contains the following:
16	(a) Full name of the patient.
17	(b) Date of issuance.

1	(c) Name, strength, and dosage form of the drug prescribed.
2	(d) Directions for use.
3	(e) Name of the prescribing practitioner.
4	(f) The prescribing practitioner's written or electronic signature or the
5	written or electronic signature of the practitioner's licensed healthcare designee,
6	who shall be a licensed nurse, pharmacist, or physician practicing in a
7	long-term care facility. The licensed healthcare designee shall be authorized to
8	document a chart order in the patient's medical record on behalf of the
9	prescribing practitioner pending the prescribing practitioner's signature, or to
10	communicate a prescription to a pharmacy whether telephonically, by facsimile
11	transmission, or electronically.
12	* * *
13	§1226.4. Chart orders; bidirectional transmission; renewal
14	A. The institutional facility is the only party to the prescription drug
15	chart order that shall be required to maintain a copy of the prescriber's
16	signature unless otherwise required by federal law.
17	B. Bidirectional electronic transmission of chart orders between the
18	institutional facility and the pharmacy shall be permitted when transmission
19	occurs in a manner that complies with rules promulgated by the Centers for
20	Medicare and Medicaid Services and other federal rules or regulations.
21	C. Renewal of ongoing chart orders shall be signed by the prescriber at
22	the appropriate time interval based on facility type and federal regulation, state
23	law, or rule. Unless otherwise indicated, chart orders shall be ongoing until such
24	time as the practitioner discontinues the order and such discontinuation is
25	communicated to the pharmacy.
26	D. The board may promulgate rules to recognize and regulate the use of
27	chart orders that are not otherwise specifically provided for in this Section.
28	Section 2. The Louisiana State Law Institute is hereby authorized and directed to
29	alphabetize the definitions contained in R.S. 37:1164.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christine Arbo Peck.

## **DIGEST**

SB 477 Original

2018 Regular Session

LaFleur

Proposed law adds a definition for chart order with respect to electronic prescribing of noncontrolled legend drugs. Proposed law further provides for bilateral transmission of prescriptions.

Effective August 1, 2018.

(Adds R.S. 37:1164(59) and 1226.4)